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THE PRESENCE AND AUTHORITY OF THE GOSPEL-BOOK IN THE FIFTH-CENTURY CHURCH COUNCILS

Charidimos Koutris

ABSTRACT

It has long been assumed that the enthronement of the Gospel-book in the midst of the ecumenical councils was a custom initiated at the First Ecumenical council of Nicaea in 325 and picked up by the ecumenical councils that followed. Similarly, it is assumed that the presence of the Gospel-book in the modern courtrooms on which witnesses swear oaths to testify truthfully originates from ancient Greek and Roman court practice.

This thesis puts forward an alternative approach by suggesting that it was Cyril of Alexandria who first enthroned the Gospel-book in the midst of the Third Ecumenical council of Ephesus in 431 (Ch.1) to manifest Christ's presence and presidency, attribute all conciliar-judicial decisions to Him, thus giving them infallible and irrevocable authority (Ch.2). The book, as Son of God and personification of the Truth, now aims to lead the participants to the revelation of the truth and the safeguarding of the orthodox faith (Ch.3).

With the elevation of Ephesus and Cyril to *de facto* exponents of faith, this innovative practice gained greater authority and was gradually established too. By the time of Chalcedon in 451, the enthronement of the Gospel-book as Christ in the midst of the councils can be seen in even more bishoprics of the East (Ch.4). In these councils the Gospel-book now has supreme authority, as evident by the way people refer to it (Ch.5), their preference for it over any other religious or secular object (Ch.6), as well as its employment to instil the "fear of God", extract the truth and attribute infallible authority to their conciliar-judicial decisions, as if they were taken by God Himself (Ch.7). As an aftermath of Chalcedon, the Gospel-book is gradually introduced by the Emperors to the secular sphere and the Byzantine courts: a practice that is preserved until today.



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Thesis submitted
for the degree of Doctor of Philosophy



Department of Theology & Religion
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ABBREVIATIONS

A445	Council of Antioch (445)
A448	Council of Antioch (Eastertide 448)
ACC553.1-2	<i>Acts of the Council of Constantinople of 553</i> , v. 1-2, R.Price
ACCh.1-3	<i>Acts of the Council of Chalcedon</i> , v. 1-3, R.Price, M.Gaddis
ACE449	<i>Acts of the Council of Ephesus 449: The Second Synod of Ephesus: together with certain extracts relating to it, from Syriac MSS</i> , S.G.F.Perry
ACIDR	<i>Atti del Congresso Internazionale di Diritto Romano</i> , G.Moschetti
ACO	<i>Acta Conciliorum Oecumenicorum</i> , E.Schwartz
Bas	<i>Basilika</i>
C381	Council of Constantinople I (381)
C448	Home Synod of Constantinople (448)
C449a, CHA. s.1, §558-559	Synod of Constantinople, session of 8 April 449 (referred to, but not recorded in the Acts of Chalcedon)
C449b, CHA. s.1, §555-828	Synod of Constantinople, session of 13 April 449
C449c, CHA. s.1, §829-849	Synod of Constantinople, session of 27 April 449
C553	Council of Constantinople II (553)
C680/681	Council of Constantinople III (680/681)
CCSL	Corpus Christianorum, Series Latina
CE	<i>Catholic Encyclopedia</i>
CHA.	Council of Chalcedon (451)
CHA. s.CD	Council of Chalcedon, session on Carosus and Dorotheus
CJ	<i>Codex Justinianus</i>
CSCO	Corpus Scriptorum Christianorum Orientalium
CTh	<i>Codex Theodosianus</i>
DACL	<i>Dictionnaire d'Archéologie Chrétienne et de Liturgie</i> , H.Leclercq
DAGR	<i>Dictionnaire des Antiquités Grecques et Romaines</i> , Ch.Daremberg, Ed.Saglio
DE	<i>Dizionario Epigrafico di Antichità Romane</i> , E.De Ruggiero
DGRA	<i>A Dictionary of Greek and Roman Antiquities</i> , W.Smith
DigJ	<i>Digesta Justinianus</i>

ABBREVIATIONS

E431	Council of Ephesus I (431)
E431, CA	Council of Ephesus I, Collectio Atheniensis
E431, CC	Council of Ephesus I, Collectio Casinensis
E431, CS	Council of Ephesus I, Collectio Sevgierana
E431, CV	Council of Ephesus I, Collectio Vaticana
E431, CVr	Council of Ephesus I, Collectio Veronensis
E431, s.1	Council of Ephesus I, session of 22 June 431
E431, s.2	Council of Ephesus I, session of 10 July 431
E431, s.3	Council of Ephesus I, session of 11 July 431
E431, s.4	Council of Ephesus I, session of 16 July 431
E431, s.5	Council of Ephesus I, session of 17 July 431
E431, s.6	Council of Ephesus I, session of 22 July 431
E431, s.7	Council of Ephesus I, session of 31 July 431
E449	Council of Ephesus II (449)
<i>EB</i>	<i>Encyclopaedia Britannica</i>
<i>EBO</i>	<i>Encyclopaedia Britannica Online</i>
<i>ER</i>	<i>Encyclopedia of Religion</i>
<i>EThL</i>	<i>Ephemerides Theologicae Lovanienses</i>
<i>FiE</i>	<i>Forschungen in Ephesos</i>
GCS NF	Griechischen christlichen Schriftsteller der ersten drei Jahrhunderte, Neue Folge
<i>GEL</i>	<i>A Greek-English Lexicon</i> , H.G.Liddell and R.Scott
<i>GLRB</i>	<i>Greek lexicon of the Roman and Byzantine periods (from B.C. 146 to A.D. 1100)</i> , E.A.Sophocles
<i>JE</i>	<i>Jewish Encyclopedia</i> , I.Singer
<i>JECS</i>	<i>Journal of Early Christian Studies</i>
<i>JNov</i>	<i>Justiniani Novellae</i>
M550	Council of Mopsuestia
<i>MajNov</i>	<i>Majoriani Novellae</i>
N325	Council of Nicaea I (325)
N787	Council of Nicaea II (787)
<i>NDI</i>	<i>Nuovo Digesto Italiano</i> , M.D'Amelio and A.Azara
NPNF 1-2	A Select Library of Nicene and Post-Nicene Fathers, Ph.Schaff, series 1 and 2
<i>ODByz</i>	<i>The Oxford Dictionary of Byzantium</i> , A.P.Kazhdan
<i>OEDO</i>	<i>Oxford English Dictionary Online</i> , Oxford University Press
PG	Patrologia Graeca, J.P.Migne
<i>PGL</i>	<i>A Patristic Greek Lexicon</i> , G.W.H.Lampe
PL	Patrologia Latina, J.P.Migne

ABBREVIATIONS

<i>PLRE.2</i>	<i>Prosopography of the Later Roman Empire</i> , vol. 2, J.R.Martindale
<i>RAC</i>	<i>Reallexikon für Antike und Christentum</i>
<i>RE</i>	<i>Realencyclopädie der classischen Altertumswissenschaft</i> , Pauly-Wissowa
<i>RSCC</i>	<i>Roman State and Christian Church</i> , P.R.Coleman-Norton
<i>SirmC</i>	<i>Constitutiones Sirmondianae</i>
TB449	Council of Berytus (February 449)
<i>ValNov.</i>	<i>Valentiniani III Novellae</i>
<i>ZSSR.KA</i>	<i>Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung</i> , H.J.Becker, A.Thier, H.de Wall
<i>ZSSR.RA</i>	<i>Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Romanistische Abteilung</i> , W.Kaiser, M.Schermaier, J.Martin, G.Thür

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As is well known, Bernard of Chartres (12th cent.) and Isaac Newton (17th cent.), drawing from the ancient Greek myth of the dwarf Cedalion (Κηδάλιον) that was standing on the shoulders of the giant Orion (Ὠρίων) to be able to see, used a metaphor to express that we discover the truth by building on the work of other significant scholars before us. In their words "we are dwarfs standing on the shoulders of giants". To these scholarly giants I would like to express my deepest gratitude, because their immense labour paved the way for my research and my findings. Scholars, most of whom I have never met, but whose work opened my eyes in the field and accompanied every moment of my journey: Eduard Schwartz, whose critical edition of the Acts of the Ecumenical Councils (*Acta Conciliorum Oecumenicorum*) compiled and preserved the sources and gave us the opportunity to work on them and expand our knowledge on the field. Richard Price, whose published translations and works on the Acts of Chalcedon and Constantinople II helped me understand the sources more clearly and have a

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*To Panagiota, my family, and everyone who believed in me
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The Presence and Authority of the Gospel-book in the fifth-century Church councils

GENERAL INTRODUCTION

Since the establishment of Christianity, and especially in modern times, a significant amount of bibliography has been produced on the Church councils, the Ecumenical councils or the Scriptures, each treating them from a different historical, theological or legal perspective. Indicatively, building on the immense labour of Eduard Schwartz, recent scholarship has established the essential link between the early Church councils and Roman legal practice. André De Halleux and others have shown how these councils followed the procedural rules of the Roman courts and the Senate.¹ Additionally, Caroline Humfress argues that the participants of these councils were employing their forensic background to influence the conciliar outcome and shape the imperial policy.² Meanwhile, Thomas Graumann demonstrates how these councils were producing doctrinal decisions that were meant to activate the implementation of the imperial religious laws.³

In this setting, where the conciliar decisions were shaping the imperial policy and determining not only the definition of orthodoxy, but also the fate of their participants, one can easily realise the tension between power and authority, the Church and the State, or between the clerics themselves. This was fairly evident in Cyril's decision in Ephesus I to prematurely open the council against the imperial orders to wait for the arrival of his opponents. For authors like Vogel, de Halleux and Famerée, Cyril manipulated the procedure and abused his authority, so as to ensure Nestorius' condemnation.⁴ With a long history of the bishops behaving in an unruly manner against anything that challenged their understanding of orthodoxy, the Emperors did everything they could to control them, as argued by

¹ De Halleux, 1993:51; Gelzer, 1907:142-155; Batiffol, 1919:84-154; Girardet, 1975:26-51; Talbert, 1984:480; Jones, 1973:329-341; Kaser, 1966:410-526; Steinwenter, ZSSR.KA.23.1:1-116.

² Humfress, 2007b.

³ Graumann, 2007.

⁴ Vogel, 1978:12-13; De Halleux, 1993:81; Famerée, 2009:114-115.

Michael Whitby.⁵ Accordingly, Richard Price and Michael Gaddis contextualise the effort of

the Emperor to control the council of Chalcedon as a means to serve his political aims. This control was exercised both during the council, through the appointed secular officials, and afterwards, through the production of the conciliar Acts.⁶

At the core of these tensions was the correct interpretation of faith, as attested in the word of God, the Scriptures. However, even though there is fairly extensive scholarship on the authority of the Scriptures as content, very little has been written on the presence and the authority of the Gospel-book as an object in these councils. As a matter of fact, the Gospel-book is neglected so much that even Schwartz does not include it in his Greek and Latin indices of the critical editions of the Acts of Ephesus and the Acts of Chalcedon, making it thus extremely difficult to find the passages referring to it. Most prominent authors, like Price, Perry, De Halleux, Person and Rapp, acknowledge in passing the book's enthronement in the midst of the ecumenical councils to signify Christ's presidency without elaborating further on the book's presence and authority.⁷ For them, this is a custom initiated in the council of Nicaea in 325. To this view adheres the only book written thus far on the presence of the Gospel-book in the ecumenical councils, that by Romeo De Maio in 1963.⁸ But his book is so brief, with its main body being only 30 pages long (or 22 if we remove the illustrations), and attempts to cover such a vast period (from Nicaea I in 325 till Vatican II between 1962-1965) that it is impossible to provide a detailed analysis of the topic.

My research aspires to fill part of this gap by arguing for the gradually developing presence and authority of the Gospel-book in the Church councils of the fifth century. The reason I focus on the fifth century is twofold: firstly, this is when we have the first attested evidence of the presence of the Gospel-book in an ecumenical council (Ephesus I). Secondly because, in my point of view, this is precisely when the practice of enthroning the Gospel-book in the midst of the Church councils begins, rather than the fourth century as is widely assumed. This

⁵ Whitby, 2011.

⁶ *ACCh*.1:37-51; Price, 2011b:92-106; 2011a:70-91. Graumann, 2011:27-44.

⁷ *ACCh*.2:127¹⁵; *ACE449*:xviii; De Halleux, 1993:66⁸⁹; Person, 1978:189; Rapp, 2007:194-222.

⁸ De Maio, 1963. De Maio's points are simply reiterated by a more recent article on the role of the Gospel-book to signify Christ's presidency in the liturgical assembly: Join-Lambert, 2006:345-365. On the enthronement of the Gospel-book in the councils: Helmuth, 1995:233-279.

is particularly important not only because it shows the origins of a conciliar-religious practice that is observed by many Churches to this day, but also because it is very likely that this practice gave birth to the presence of the Gospel-book in the midst of the courts in many western societies, so that the witnesses testify truthfully before it. As the former challenges the widely held assumption of the Church historians that the custom was initiated in the council of Nicaea in 325, the latter goes against the established view of legal historians, who hold that the practice of swearing oaths on objects to testify truthfully was initiated in the Roman Courts and passed to the modern legal systems (Ch.1).

In this thesis, I argue that it was Cyril in the first session of Ephesus I, who first enthroned the Gospel-book in the midst of the room to signify Christ's presence and presidency over the council. He did this partly to circumvent any challenges against his actions as president, judge and plaintiff against Nestorius, and partly to give infallible and irrevocable authority to the conciliar decisions, since it would be the Son of God himself, who would condemn Nestorius, acting through the Cyrillian assembly (Ch.2). At the same time, the book intended to act as the personification of Truth (i.e. Christ), who would affect the participants and lead them to testify truthfully before it (Ch.3).

With the prevalence of the Cyrillian side and Christology and the elevation of Cyril's status to that of a Father, the presence and the authority of the Gospel-book in the Church councils and the secular sphere was also gradually established. This becomes evident in the councils after Ephesus I, like the Home Synod of 448, the Synod of Constantinople of 449, and the council of Chalcedon in 451 (Ch.4). In these councils the Gospel-book gradually acquires supreme authority, as evident by the language used to refer to it (Ch.5), as well as by its enthronement in the centre of the room and the preference to it over any other religious or secular object (Ch.6). This supreme authority is particularly attested when examining the employment of the Gospel-book in the fifth-century Church councils to extract the truth, take and seal God-pleasing decisions, or even as part of a narrative aiming to secure a specific outcome (Ch.7). In the years that would follow Chalcedon, the Gospel-book would be gradually introduced in the secular sphere and then in the imperial courts of the sixth century, continuing a practice that possibly led to the employment of the Gospel-book in the secular courts of the Christian societies of the present.

I aim to establish the above by examining the earliest and most extensive compilations of conciliar proceedings: that is the Acts of Ephesus I and II, the Acts

of Chalcedon, and the Acts of the Council of Constantinople of 553. My analysis is focused on the Greek or Latin original, where available, while I provide Price's English translations, occasionally amended by me to remain as close as possible to the original source, especially when the wording is particularly important for my argument. Aside from the translation, I also follow Price's numbering of the sessions of the councils, even though it differs from the Greek and Latin originals, as this provides a more coherent and chronological presentation of the Acts. Finally, the thesis is divided in two large parts: Part I deals with the birth of the tradition of enthroning and employing the Gospel-book in Ephesus I, as evident in the Acts of Ephesus; while Part II focuses on Ephesus' heritage to the councils that followed, in which the Gospel-book's authority is established as supreme.

PART I

EPHESUS I.

THE BIRTH OF A TRADITION

CHAPTER 1. PRECEDENTS ON THE USE OF THE GOSPEL-BOOK AND THE ARGUMENT ON CYRIL'S INNOVATION

INTRODUCTION

The first attested presence of the Gospel-book in an ecumenical council is in Ephesus I (431). There, Cyril of Alexandria enthrones the Gospel-book in the midst of the assembly to signify Christ's presence and presidency. It is widely accepted by modern scholars that in doing so, Cyril continues a custom initiated in Nicaea I (325) and taken after by every ecumenical council that followed in the East. As a matter of fact, the Acts of Chalcedon open by highlighting the enthronement of the book with the following words: "In the centre was placed the most holy and immaculate gospel-book" (CHA. s.1, §4).⁹ The same setting is outlined by Perry, as early as 1881, in his translation of the Syriac Acts of Ephesus II, where he informs us that "at these Councils ... the Holy Gospels were exalted on a Throne put in a prominent position ... information demanded and declared before the Holy Gospels present so conspicuously".¹⁰ According to Price, who has undertaken the tremendous task of translating the Acts of all Ecumenical Councils into English, and his co-author Gaddis, "[as] was customary at such gatherings, a copy of the Gospels was displayed in the centre, to signify the true presidency over the council held by Christ".¹¹ For De Halleux and Person, the enthronement of the Gospel-book in the *aula* of Ephesus I was part of the opening ceremony (E431, CV §81.4).¹² For them also, as well as for the majority of modern scholarship, it seems to be a commonly accepted assumption that the origins of this practice can be dated back to the council of Nicaea, in which the Altar of Victory was replaced by the Gospel-book,¹³ even though Eusebius of Caesarea makes no mention of this in his *Life of Constantine*.¹⁴ De Maio, another excellent scholar who wrote a brief, yet interesting and colourful, historical account of the enthronement of the book in the Ecumenical Councils of the East and West throughout the centuries

⁹ CHA. s.1, §4, ACO 2.1.1:65; ACCh.1:129.

¹⁰ ACE449:xviii.

¹¹ ACCh.1:43. Gaddis, 2005:252¹.

¹² ACO 1.1.3:4. De Halleux, 1993:66⁸⁹; Person, 1978:189.

¹³ De Halleux, 1993:66. Gelzer, 1907:145-147. Chrysos, 1983:36.

¹⁴ Eusebius, *Life of Constantine*, 1902:79-88.

also sides with them. He even goes further by using visual evidence (inscriptions and mosaics) to support this position.¹⁵

However, despite their occasional references to the presence of the Gospel-book in the centre of the Ecumenical Councils, no scholar thus far has focused on its role, its use and its authority as an object in the councils. Even worse, modern scholarship seems to unintentionally fall into the trap of taking for granted the assumption that the origins of this practice date back to the first Ecumenical Council. It is hoped that this thesis will fill this gap and highlight not only the presence, the use and the authority of the Gospel-book in the councils between Ephesus and Chalcedon, but also to suggest an alternative approach, that of treating the said presence as an innovation by Cyril of Alexandria, unprecedented in the councils before it.

Meanwhile, in the field of legal history, there is a striking absence of research on the emergence of the practice of using the Gospel-book or other sacred books in the courts, asking from the witnesses to swear oaths on them that they will testify truthfully. It is well-known that this was common practice in the courts of the Byzantine Empire at the time of Justinian,¹⁶ and it still remains the standard practice in the judicial systems of several countries nowadays. Given the lack of research, the widespread assumption is that this practice has its roots in the ancient Greek legal system and that it was first bequeathed to the Roman courts and then to the Church councils that borrowed the Roman legal structure.

On the contrary, my thesis argues that the employment of the Gospel-book in the courts is closely linked to the employment of the book in the ecumenical councils, as initiated by Cyril of Alexandria in Ephesus I, passed to Chalcedon and from there to the secular sphere and courts of the Byzantine Empire. Crucial to this link is the identification of the Gospel-book as Jesus Christ, the Son of God and personification of the truth, who brings the truth to light and condemns the liars.

My overall goal and the overarching theme running as a spine of this thesis is to establish the gradually developing presence, employment and supreme authority of the Gospel-book in the fifth-century Church councils.

¹⁵ De Maio, 1963:9,39; Join-Lambert, 2006:345-365; Helmrath, 1995:233-279.

¹⁶ Humfress, 2007a; Rapp, 2007:196-197.

1.1 THE ARGUMENT ON CYRIL'S INNOVATION

Before proceeding with my argument on Cyril's innovation, a few things need to be clarified from the outset.

First of all, I am not claiming that the Gospel-book as an object was introduced by Cyril in an ecumenical council in 431. Such a claim would be historically unfounded on the following basis: many of the ecclesiastical councils of that time assembled in churches,¹⁷ and as such it is reasonable to expect the Gospel-book to be there for the liturgical needs of the local congregation. To this should be added the possibility that some of the participants of these councils brought their own copy of the Gospels with them with the intention of using it as a reference to look up scriptural passages, especially in face of the theological disputes of the time and the authority of the Scriptures as a text. Consequently, the presence of the Gospel-book in these councils is neither innovative, nor as important, since it must have been a rather common reality. It becomes important, however, when the Gospel-book is enthroned in the midst of the assembly and employed in the conciliar-judicial procedure; even more when of all the religious objects at their disposal, it is the one chosen to manifest Jesus Christ's presence and presidency. It is through this identification as Jesus Christ that the Gospel-book acquires a specific role and authority in the context of these councils.

What I am not arguing either, is that the Gospel-book was used for the first time in order to have someone swear an oath on it. This was a fairly widespread extra-conciliar practice, which was occasionally condemned by many prominent ecclesiastical figures, as we will later examine. These extra-conciliar oaths on the Gospel-book, however, were rather linked to the commitment of the oath-taker to perform an action in general (e.g. compensate one person, protect another etc.), rather than to speak the truth in particular, as I will show later in this chapter.

Finally, what I am also not claiming is that the Gospel-book was identified as Jesus Christ for the first time in the council of Ephesus. Such a claim, although it could

¹⁷ Indicatively, the council of Serdica (c.343) was held in the church of St. Sophia; Constantinople I (381) in the church of St Irene; Ephesus I (431) and Ephesus II (449) in the church of St Mary; the Synod of Constantinople (449) in the "Great Portico of the most holy church" in Constantinople; Chalcedon (451) in the church of St Euphemia etc. However, it should be stated clearly here that not every council was held in a church, as for example the council of Nicaea (325) that assembled in the imperial palace and some sessions of Ephesus I that were held in Memnon's episcopal residence.

be supported by the current evidence, may still be questionable in the lack of a more extensive research that cannot be included in the narrow limits of this thesis. Nevertheless, my thesis hints at this possibility, which I aspire to explore further as a separate project.

What I argue, however, throughout Part I of this thesis, is that the use of the Gospel-book in Ephesus I is a first-time attested combination of all the elements mentioned above. It is the first time a Gospel-book is enthroned in the midst of an ecumenical council to signify Jesus Christ as its supreme judge and president. It is also the first time that it is linked to the truth-extracting process, precisely through this identification with Jesus Christ as God and Truth, occasionally with the employment of an oath on the book. As explained, my argument goes against the current widespread assumption that this practice was already established by the time of Ephesus both in the conciliar and the extra-conciliar sphere.

To support my argument, I will divide the examination of the evidence of Chapter 1 in two parts: a) the evidence missing that is examined below, in a section I prefer to call "uncharted waters" precisely due to the lack of evidence and definite answers; and b) the evidence present that will be analysed in the second part of this chapter, as well as in chapters 2 and 3.

1.2 UNCHARTED WATERS

The absence of sources clearly stating the presence of the Gospel-book in the middle of the councils prior to Ephesus is astounding; as astounding is the absence of clear references to the Gospel-book identified as Jesus Christ conciliarly or extra-conciliarly.

i. The identification of the Gospel-book as Jesus Christ

It is unclear when was the first time that the Gospel-book was used to signify Jesus Christ. Even though we have multiple references to the employment of the

Gospel-book in extra-conciliar incidents, there is no clear linking of the Gospel-book to the person of Christ.¹⁸

Rapp's article on "Holy Texts, Holy Men, and Holy Scribes",¹⁹ no matter how excellent and extensive it is on the various uses of holy texts as sacred or even magical objects in the Early Christianity, does not include any information on the identification of the Gospel-book as Jesus Christ before 431. Undoubtedly her emphasis falls on other topics and covers a wide period of the Early Christianity. However, this width is precisely the reason why one has to be extremely careful when reading the article, so as not to accidentally assume that the identification of the Gospel-book as Jesus Christ, to which the author refers,²⁰ was an established reality prior to Ephesus I.

Cyprian of Carthage (c.200-258), a figure Rapp briefly mentions, "did not dare to touch the Gospels until he was baptized",²¹ as Rapp notes. Even though the Gospel-book may be presented here as an extremely powerful and fearful object, it is not identified as Jesus Christ, whose divinity would be established a century later, in the council of Nicaea (325).

John Chrysostom (c.349-407) is another author that Rapp invokes. He preceded the council of Ephesus by a few decades and he has recorded the use of the Gospel-book as a phylactery to keep the devil out of the houses.²² Elsewhere, John claims that there is no use for a person to keep the codex of the Gospels next to his bed, if he does not perform charitable acts at the same time.²³ Chrysostom also writes against a practice of his time where Christians were visiting the churches, approaching the altar, and swearing oaths by touching the Gospel-book on it.²⁴ However, as in the case of Cyprian, Chrysostom does not identify the Gospel-book with Jesus Christ in these sources.

¹⁸ For the identification of the Torah with God: Ch.1.3; Watts, 2013:363.

¹⁹ Rapp, 2007:194-222.

²⁰ Rapp, 2007:196-200.

²¹ Rapp, 2007:199; Bilabel, Grohmann, 1934:179.

²² *In Joannem*, Hom. 32, PG 59:187; *Concio III de Lazaro*, ch.2, PG 48:994; Rapp, 2007:199.

²³ *Ad Corinthios I*, Hom. 43, PG 61:373; Rapp, 2007:199.

²⁴ *Hom. 15*, §5, PG 49:160.

Furthermore, the Acts of Ephesus, as quoted in the Acts of Chalcedon,²⁵ record an incident that took place c.428, during which some repentant Quartodecimans, mainly clerics and laymen of Philadelphia of Lydia in Asia Minor, were required to take an oath to confirm their faith and return to the Church. No employment of the Gospel-book is mentioned in this practice, and it is very likely that there was not one, since as we will later see in this chapter,²⁶ the presence of a Gospel-book codex was not necessary in swearing oaths. However, even if we assume that there was one that was simply not recorded, it is remarkable that all the oaths of the Quartodecimans are sworn by the name of the Emperor and occasionally by the Holy Trinity. Jesus Christ is again not mentioned, which points to the possibility that either the Gospel-book was not used at all, or if was used, it may have not been identified as Christ himself.

These few sources, vague as they are with regard to the linking of the Gospel-book with Jesus Christ, come from various parts of the empire. There is only one source, to the best of my knowledge, that clearly confirms this identification; and this source is also from Alexandria, from a person closely related to Cyril. This person was Isidore of Pelusium (c.360-450),²⁷ who lived around the time of Ephesus I. He was native in Alexandria, relative of both of its bishops, Cyril and Theophilus. He was also a close ally of Cyril in his fight against Nestorius, so it is possible that one influenced the other in their Christology and their identification of the Gospel-book as Jesus Christ. Some scholars even assume that the summoning of Ephesus was Isidore's idea, a position which is however questioned by Evieux.²⁸ Aside from this, in Cyril's dispute with John of Antioch, Isidore tried to be impartial and did his best to end this division by persuading Cyril that his behaviour against John in Ephesus was too rough and unfair. Cyril's later reconciliation with John could possibly be a consequence of Isidore's intervention, revealing Isidore's impact on him.

Regardless, however, of whether this is true or not, their mutual respect and interaction throughout their lives is a fact, as is their shared view on the authority of the Gospel-book and what it represented. More specifically, in one of Isidore's

²⁵ E431, s.6, CHA. s.1, §922-927, 929, 932, 934-942. *ACO* 2.3.1:215-221; *ACCh*.1:316-323.

²⁶ Ch.1.4.

²⁷ Evieux, 1995:315; Christou, 2005:240.

²⁸ Evieux, 1995:46-48.

letters to count Herminos, he describes how during the liturgy the bishop typifies Christ through his actions and garments, like his stole (ὠμοφόριον):

"When the true shepherd is present through the opening and projection of the Gospels to the faithful to worship them, the bishop stands up and puts away the symbol of his imitation (i.e. the stole), so as to manifest that the Master, the Shepherd, the God and Lord is present." (Isidore of Pelusium, *Letter 136*).²⁹

This is a most interesting source, not only because it identifies the Gospel-book with Jesus Christ, but also because it comes from a similar religious context (the use of the Gospel-book in a Christian assembly), and the same geographical area and era with Cyril, that is the fifth-century Alexandria. However, dating Isidore's letters with precision is impossible, as they survive only in fragments. As such, we cannot tell with certainty whether Cyril influenced Isidore in his view of the Gospel-book, or if it was the other way around. As we cannot be certain whether this treatment of the book was already established in Alexandria at the time.

Nevertheless, little do these affect the importance of the source. If the letter was written before Ephesus I, then this is evidence of the special authority that the Gospel-book had for the Alexandrians, and shows how this authority entered the council through Cyril's actions and affected both the status of the book and its reverence in the generations that followed. On the other hand, if the letter was written after Ephesus I, then it becomes one of the first sources (if not the first) that manifest how the book's role and status in Ephesus I passed into the liturgical practice of the Alexandrian congregation.

All these become even more important if this was a view originating from Alexandria, at a time when most regions of the empire were unaware of the identification of the Gospel-book as Jesus Christ. This is further supported not only by the absence of evidence to the contrary, as I claimed in the beginning of this section, but also from the reinterpretation of another source, that is Besa's *Life of*

²⁹ PG 78:271-272. The translation here is mine. Special thanks also to Richard Price for noting that "ἀναπτύξεως" should be translated as "opening" instead of simply "projecting". Price, "Extra-conciliar source", 19/05/2015. On the same source, Humfress, 2007a:151; Rapp, 2007:197. On the role of the Gospel-book to signify Christ's presidency in the liturgical assembly (and despite the absence of Isidore's source): Join-Lambert, 2006:345-365.

Shenoute written sometime around 460. There the hagiographer narrates a fictional event that took place in Ephesus I. According to the narrative:

"When they [Shenoute and Cyril] went into the church to set out the seats and sit down, they set out in the middle of the assembly another seat and placed upon it the four holy Gospels.

When the impious Nestorius came in with a great display of pride and shamelessness, he then picked up the four holy Gospels, placed them on the ground, and sat down in the chair.

When my father Apa Shenoute saw what Nestorius had done, he leaped quickly to his feet in righteous anger in the midst of our holy fathers, seized the Gospels, picked them up from the ground, and struck the impious Nestorius in the chest, saying,

'Do you want the Son of God to sit on the ground while you sit on the chair?'"

Then Shenoute lifted the Gospel-book from the floor and while holding it with one hand, stroke Nestorius with the other, proclaiming that "the only-begotten Son of God ... will now pronounce upon you a swift judgment". Immediately, "Nestorius fell off his chair onto the ground, and in the midst of the synod of our fathers, he was possessed by the devil." (Besa, *Life of Shenoute* 128-130).³⁰

This source, which we will examine more thoroughly later,³¹ comes again from the Church of Alexandria describing the life of one of Cyril's closest allies in his fight against Nestorius, that is Shenoute, the abbot of the White Monastery in Egypt. Undoubtedly, the source is subsequent to Ephesus I, as it supposedly describes events that took place in it; and apparently, these events are fictional, not only due to their exaggerative and typical hagiographic tone, but also because Nestorius most probably did not present himself before the council.

Nevertheless, it is still important, because it clearly identifies the Gospel-book with Jesus Christ, this time in a conciliar setting. Furthermore, it can be reinterpreted

³⁰ Gaddis, 2005:252.

³¹ Ch.2.1.

as an attempt of the Alexandrian hagiographer to achieve a blow against Nestorius' theology as deriving from a person and a tradition that did not revere Jesus Christ as God and that did not identify the Gospel-book with him. This could be especially seen in Nestorius' act of picking the Gospel-book from the seat and putting it on the ground. From a theological perspective, this was the core of Cyril's argumentation in his letters against Nestorius;³² while from a physical perspective, removing a book from a seat so that a human can sit on it would be a very reasonable thing to do for someone who was not aware of the identification of the book with Christ and God, let alone its enthronement in the middle of a council.

These point to the direction that revering the Gospel-book as Jesus Christ may have not yet been widespread in the Christian world aside from Alexandria, and that it may have been the gradual establishment of the authority of Ephesus that resulted in the establishment of the book's presence and authority in the early Christian communities as an object manifesting Christ. Taking these into consideration, the enthronement of the Gospel-book in the middle of the councils before Ephesus, becomes even less plausible, despite the widespread assumption of modern scholars.

Aside from the above, there is another element that we should take into consideration here. Besa's *Life of Shenoute* may be a work aiming to provide an Alexandrian narrative for the council of Ephesus and establish Shenoute and Cyril as holy men and defenders of the orthodox faith, but at the same time its target audience lives in the decade that followed the council of Chalcedon. As I said, the hagiography was written after Shenoute's death in 460. This was a time when authority of the see of Constantinople was rising at the expense of the see of Alexandria that had just had its archbishop (Dioscorus) deposed and defamed for the sake of a Christology that looked fairly Nestorian to the eyes of the Alexandrians and hard-core supporters of Cyril. As such, it is not unlikely that Besa tries to attack the see of Constantinople by highlighting that its "forefather" Nestorius did not respect the Gospel-book or Jesus Christ, as shown by his act to depose it from the seat and place it on the ground, and that if the see of Constantinople now does revere the Gospel-book, it is thanks to the actions of the Alexandrians.³³

³² Ch.1. Conclusion.

³³ Ch.4.1.iv.

ii. The question of the enthronement of the Gospel-book in the councils before Ephesus I

Thus far I hope that it has been established why we should not take for granted the identification of the Gospel-book with Jesus Christ before Ephesus I. Below I will demonstrate why we should also not take for granted the enthronement of the Gospel-book in the councils before Ephesus I.

One main reason for claiming this is again the astounding lack of clear references pointing to such an enthronement in the available sources. The Gospel-book is not mentioned to play a significant role in any of the councils before Ephesus; or to be more accurate: the book is not even mentioned to be present in these councils. Of course, as I already clarified in the beginning of this chapter, I am not claiming that there was not a copy of the Scriptures there, especially given that most councils were taking place in churches. What I am claiming is that, in the lack of clear evidence to the contrary, it is questionable whether this copy was identified as Jesus Christ and whether the book was used as a sacred object *per se*, instead of simply used and revered for its content as the word of God.

Undoubtedly, it would be a logical fallacy on my part to claim that the absence of evidence equals to evidence of absence. However, the contrary seems even more absurd to me: how is it possible for modern scholarship to assume the enthronement of the Gospel-book in the middle of these councils when there is no significant evidence to support this? I feel that it would be a mistake to presume the presence of the Gospel-book in the pre-Ephesus I councils simply on the basis that it is found in Ephesus and the councils after it. In other words, I think that the burden of proof lies on the side claiming the existence of such a customary practice, and not the other way around. Nevertheless, in an effort to promote the discussion in this field, I will attempt to briefly examine in chronological order a few important councils and events before Ephesus focusing on the question of the presence of the Gospel-book in them.

THE PRODUCTION OF THE FIRST IMPERIALY SPONSORED CODICES

From the evidence we will examine throughout this thesis, it becomes clear that the Gospel-book enthroned in Ephesus was a codex of the four Gospels alone. However, it is not clear when was the first time such a codex was produced in the early Christian world. What is certain is that by the time of Ephesus there were

already a few Bible codices available, like the Codex Vaticanus (c.325-350) and the Codex Sinaiticus (c.330-360), which may have been produced after the orders of the Emperor Constantine, as speculated by Metzger and Ehrman.³⁴ It is also possible that Codex Alexandrinus was produced around the time of the council (c.400-440).

THE COUNCIL OF NICAEEA (325)

As most of these codices were produced after 325, it is questionable whether a codex was enthroned in the midst of the first ecumenical council in Nicaea, despite the modern scholars' assumption that the Gospel-book was introduced there for the first time to replace the recently removed Altar of Victory.³⁵ The assumption of an enthronement of the book in the role of Christ becomes even more questionable when we consider that the council convened to settle the dispute on the divinity of Jesus Christ. With this matter still being under discussion, it would be impossible to claim that the different factions shared a common custom of placing the book in their midst; and even if they did, the way they viewed this object, the role and the authority the ascribed to it would be significantly different both between the participants of Nicaea themselves, and also the ones in the councils that followed.

Meanwhile, we do not have any surviving minutes from the council of Nicaea, which makes the assumption of an enthronement even more unfounded. Furthermore, the authors preserving the memory of the council make no mention of the presence, the role and the authority of the book, the existence of an enthroning custom, or any discussions around these.

Eusebius of Caesarea (c.260-340), who was present in Nicaea, reports that the council was held "in the central building of the palace" and "on each side of the interior of this were many seats disposed in order, which were occupied by those who had been invited to attend, according to their rank". Then the Emperor Constantine entered the room and "proceeded through the midst of the assembly... As soon as he had advanced to the upper end of the seats ... a low chair of wrought

³⁴ Metzger, Ehrman, 2005:15-16.

³⁵ Ch.1.4.iv.

gold had been set for him ... and then sat down, and after him the whole assembly did the same" (*Life of Constantine* 3.10).³⁶ It is obvious that Eusebius does not mention the enthronement of the Gospel-book, even though he would have good reasons to do so, especially in a work like his panegyric in which he was more interested in praising Constantine than presenting the historical facts as they really were. It would be very convenient for Eusebius to highlight Constantine's role in the production of the first Bible codices had they been used in the first ecumenical council (assuming that Codex Vaticanus was produced on the same year); and yet Eusebius does not mention anything, which makes the possibility of the enthronement of the Gospel-book in Nicaea less likely.

Sozomen (c.400-450), who draws from Eusebius among other sources, repeats this setting by saying that the bishops "assembled together in the palace, because the emperor had signified his intention of taking part in the deliberations". The "seats had been arranged on either side along the walls of the palatial rooms, for it was the largest, and excelled the other chambers". The Emperor "passed through to the head of the conference, and seated himself on the throne which had been prepared for him" (*Eccl.Hist.* 1.19).³⁷

However, Socrates Scholasticus (c.380-439) differentiates himself slightly from Eusebius' and Sozomen's accounts by recording that it was the Emperor who was sitting in the midst of the assembly. More specifically, "all the bishops were assembled together in one place; the emperor arrived soon after and on his entrance stood in their midst, and would not take his place, until the bishops by bowing intimated their desire that he should be seated". Then "the emperor from his seat began to address them words of exhortation to harmony and unity" (*Eccl.Hist.* 1.8).³⁸

The same picture of the Emperor sitting in the middle of the room, without any reference to the Gospel-book being there, is repeated by Theodoret of Cyrus (c.393-466), who states that "when they were all assembled, the emperor ordered

³⁶ NPNF 2.1:522. However, according to Bagster's commentary in NPNF: "the entire session of which occupied more than two months, and which was originally held in a church".

³⁷ NPNF 2.2:254.

³⁸ NPNF 2.2:9.

a great hall to be prepared for their accommodation in the palace, in which a sufficient number of benches and seats were placed ... A low stool was placed for him in the middle of the assembly, upon which, however, he did not seat himself until he had asked the permission of the bishops. Then all the sacred assembly sat down around him." (*Eccl.Hist.* 1.6).³⁹

The same physical setting is presented again by Gelasius of Cyzicus (c.475), who probably copies from Socrates, and reports that the emperor stood in the middle of the bishops and he did not sit down before receiving their approval (*History of the Council of Nicaea* 2.6).⁴⁰ Finally, another Church historian, Rufinus of Aquileia (c.340-410), even though he refers to the events of the council, he is not explicit on its physical setting (*Eccl.Hist.* 10.2).⁴¹

Therefore, it becomes evident that the claim that the Gospel-book was enthroned in the council of Nicaea cannot be founded historically upon the accounts of the Church historians of the time. The same applies on the theological accounts of the council, as for example Athanasius' *De Decretis*. Athanasius of Alexandria (c.296-373), as Eusebius of Caesarea, can also be taken as a trustworthy source, at least with regard to the physical setting of the council, given that he participated in it as a young deacon and assistant of Alexander, the then Patriarch of Alexandria. Athanasius struggled more than anyone else to establish the authority of the council of Nicaea with his work. He wrote his *De Decretis* approximately three decades after the council itself (c.350-355),⁴² and in it he employs every possible argument he can think of in order to give authority to the council and its decisions. And yet, he makes no reference to the enthronement of the Gospel-book or even the presence of the book in the council as a symbol of Jesus Christ, even though this could contribute theologically to his argument that the conciliar decisions were directed by God.⁴³

To all these sources should be added also the Coptic texts referring to the council. They also do not support the assumption of the enthronement of the Gospel codex

³⁹ NPNF 2.3:43.

⁴⁰ PG 85:1232.

⁴¹ Rufinus, 1997:10.

⁴² NPNF 2.4:149.

⁴³ An argument put forward by Cyril in Ephesus I. See Ch.2.

in Nicaea,⁴⁴ since they mention nothing about it. There is only one papyrus, preserving a late Coptic legend, narrating that the "Holy Ghost" was seated among the bishops as a "three hundred and nineteenth bishop ... helping them to establish the true faith ... assuming the features of his neighbour [bishop], when during the counting they came to him". But even in this legendary account, the Holy Spirit (and not the Gospel-book on a throne that De Maio presumes) appears seated next to the bishops and not in a prominent place in the centre, which would have made it easier to identify Him.⁴⁵ On the other hand, the Coptic texts clearly record the enthronement of the Gospel-book in Ephesus I.⁴⁶

Consequently, it becomes evident that the sources above and the absence of other evidence clearly attesting the presence of the Gospel-book in the first ecumenical council suffice to establish not only that we cannot simply assume that the Gospel-book was enthroned in Nicaea, but also that it was more likely that it was not.

THE COUNCIL OF SERDICA (343)

The silence of evidence supporting such an enthronement practice is deafening not only for the council of Nicaea, but also for the councils that followed up until Ephesus. As such, we have no reference to it in the sources describing the council of Serdica held around 343 to settle the Arian controversy.⁴⁷

THE COUNCIL OF CONSTANTINOPLE I (381)

Similarly, we have no references in the sources preserving the memory of Constantinople I (May-July 381). By 381, the divinity of the Son had been more or less established, and the council wanted to propagate itself as adhering to the faith of the fathers of Nicaea and as worthy children of their theological ancestors. So it would be reasonable to expect a clear emphasis on any elements that could support it adhering to the same tradition and faith as Nicaea in order to give a

⁴⁴ De Maio, 1963:40; Rossi, 1884: 84-96; 1887:9-77; Révillout, 1873.1:210-288; 1875.5:5-80,209-266,501-564; 1875.6:473-560.

⁴⁵ De Maio, 1963:10, 40.

⁴⁶ De Maio, 1963:40; Kraatz, 1904:251.

⁴⁷ Hess, 2002.

sense of orthodoxy and continuity. And yet, we do not find anything related to a possible enthronement of the Gospel-book, most probably because it was not a customary practice, unlike what modern scholarship holds.

This absence of a clear reference becomes even more striking considering the fact that there must have already been a Gospel-book in the room, as the council was held in the Church of Hagia Irene. Nevertheless, it did not play any role so significant that the historians or theologians writing about the council would find worth highlighting. Especially when we are dealing with authors as prolific as Gregory of Nazianzus, we would expect at least some references to the book's authority or its role in the conciliar procedure had it been used as such. Once again it is necessary to clarify here that I am not arguing that the Gospel-book was not used at all in the council; what I am claiming is that to my understanding it is more probable that the book was used and revered for the value of its content (i.e. Scripture) than for its worth, role and authority as a sacred object *per se*, which is something we will witness later in Ephesus, where the book manifests Christ's presence and presidency over the council.

Finally, there is another element that makes me argue against the possibility of a practice starting at Nicaea and followed by Constantinople I and the other councils. This element relates again to the absence of any detailed minutes, as confirmed by Price and Gaddis.⁴⁸ Undoubtedly, as Hess claims, it is possible that such minutes were kept in the third and fourth-century councils.⁴⁹ However, in my opinion, it is questionable if Nicaea's minutes had survived and passed to the other local and ecumenical councils. If they were widely available and existing in many copies, so that every council became aware of the proceedings in Nicaea, then we would expect some copies to have survived until today; but to no avail. Even if we suppose that they existed and did not survive, it is still doubtful how detailed they would have been on the conciliar procedure, especially considering that even the most gargantuan and detailed minutes, as those of Ephesus and Chalcedon, still leave many aspects of the procedure in the dark.

In other words, we cannot be confident that the bishops in the second ecumenical council were informed in great depth of the practice followed in Nicaea, so as to attempt to imitate it and enthrone the Gospel-book in their midst. This lack of confidence is further enhanced, by taking into account that such an enthronement

⁴⁸ *ACCh*.1:7. On Constantinople I: Hanson, 1988:791-823; L'Huillier, 1996:101-142.

⁴⁹ Hess, 2002:60-64.

was not customary in every council of the time, given that if it were, we would at least find some references to it in the almost 400 years of Christian literature and art (i.e. icons, mosaics etc.). Furthermore, it is important also to keep in mind that the authority and the status of Nicaea itself took decades to be established, as Athanasius' experience shows, and consequently it is doubtful whether the councils that followed were able to become aware and preserve a practice initiated in it.

THE COUNCIL OF AQUILEIA (381)

As explained, one of the main problems we face when dealing with the question on the presence of the Gospel-book in the councils above is the absence of any minutes surviving from these councils. However, this is not the case with the council of Aquileia that was held just a few months after Constantinople I (September 381). It was summoned by the Western Emperor Gratian to settle again the dispute with the Arians. It was presided by Valerian of Aquileia and it was organised by Ambrose of Milan. Thanks to the latter, the council's minutes were preserved and they are the earliest surviving minutes of a church council in Early Christianity.⁵⁰ Nevertheless, in none of his letters that contain the proceedings of the council does Ambrose make any reference to the presence or the use of the Gospel-book in a conciliar context.

Consequently, it becomes apparent why I claim that it would be more appropriate for us to assume that the practice of enthroning the Gospel-book was not accustomed in the councils before Ephesus I, rather than the contrary. As a matter of fact, this absence of a customary enthronement of the Gospel-book in the midst of the councils can be further supported through the examination of a few sources closely related to the council of Ephesus.

⁵⁰ Ambrose, *Letters 8-10*, 1881:31-67; Graumann, 2007:103-108.

iii. The question of the enthronement of the Gospel-book at the time of Ephesus I

The absence of evidence supporting the enthronement of the Gospel-book continues even at the time of Ephesus I. The *conciliabulum*⁵¹ summoned in Ephesus under John of Antioch does not mention the existence of this practice in their reports to the Emperor.

Similarly, neither does pope Celestine in his letter to the council of Ephesus carried by the Papal delegates Arcadius, Projectus and Philip, and read before the Cyrillian synod. In this letter, written almost two months before the council,⁵² Celestine offers a statement that we will examine again later,⁵³ which links the Gospels to the truth. He also uses the Matthean passage affirming Christ's presence among those assembled in His name (Mt 18:20). Surprisingly though, Celestine highlights the clerical assembly as "evidence of the presence of the Holy Spirit" and does not emphasise the presence of Christ, as one might have expected. Furthermore, even though this would be an ideal opportunity to mention the practice of enthroning the book in the middle of the councils, he does not make any direct reference to it, nor does he identify it as Christ himself. For Celestine:

"An assembly of priests indicates the presence of the Holy Spirit. For the text we read is certain, since our Truth cannot lie, of whom is the statement in the Gospel: 'Where two or three have been gathered in my name, there am I also in the midst of them.'" (E431, CV §106.12)⁵⁴

Admittedly, it is always possible that Celestine hints at this practice, but he does not clearly state it. He refers to the "Gospel" using the Latin "Evangelio", translated in Greek as "εὐαγγελίω", but it is most probable that Celestine refers to the Gospel in its figurative sense, that is the Scriptures as a content. As such it is possible that he was not aware of a practice of enthroning the Gospel-book in the midst of councils, given the opportunity he misses to link the theology of the Holy Spirit amidst the bishops to its practical manifestation through the

⁵¹ I use "*conciliabulum*" in a non-derogatory manner as an alternative for council. The reason is to identify the Johannine synod more easily and to avoid the repetition of the words "council", "synod" and "assembly".

⁵² The letter was written on 8 May 431. ACO 1.2:25.

⁵³ Ch.3.1.i.

⁵⁴ ACO 1.2:22; 1.1.3:55.

enthronement of the book. In other words, the theology is already there, but not the acknowledgement of the practice.

To make things even more confusing, the Gospel-book is not clearly mentioned in any of the other sessions of Ephesus I: neither those that took place in Memnon's episcopal residence, like the second and the third session (10-11 July), nor those convened in the church of St Mary, like the fourth to seventh sessions (16-31 July). It is unclear whether the Gospel-book is enthroned there, and even if it is, it is not recorded to be actively participating in the council. We could assume that it was there, especially if it remained in the room after Cyril's introduction, but again this would be merely an assumption, without any clear evidence attesting to it, as no one refers to it.

Of all the evidence we have from Ephesus I, the book is clearly mentioned only in the two meetings held by the Cyrillians before the arrival of the Papal delegates: the first session on 22 June in which Nestorius was condemned, and another minuted meeting a few days later (probably around 26 June), in which John was excommunicated.⁵⁵

As a matter of fact, the proceedings of the council clearly mention the Gospel-book only once: in the first session when Fidus of Joppa prompts bishops Acacius and Theodotus to testify over the Gospel-book about the discussions they had with Nestorius:

"We [the council] summon and conjure them by the holy gospels set here before [us] [and] on the faithfulness of the minutes say what they heard three days ago from Nestorius himself." (E431, s.1, CV §51).⁵⁶

Every other reference in the *Acts of Ephesus* on the role of the Gospel-book comes either directly from Cyril of Alexandria or from sources influenced by him, as the reports aiming to defend and propagate the actions of the Cyrillians. Such are the council's reports to the emperors on the events of the first session (E431, CV §81.4; CV §84.2),⁵⁷ Memnon of Ephesus' *Letter to the Clergy of Constantinople*

⁵⁵ According to Price, the minutes of this meeting have not been preserved. On the date of this meeting, see his unpublished translation, as well as his e-mail "Enquiry on research", 14/02/2016.

⁵⁶ ACO 1.1.2:37. The translation here is mine.

⁵⁷ ACO 1.1.2:3-9; 1.1.3:4,10-11.

on the events of the meeting of 26 June (E431, CV §101),⁵⁸ and Cyril's *Apology to the Emperor Theodosius II* (E431, CV §118.18-19)⁵⁹ written a few months after the council and in which Cyril defends his actions in Ephesus. In my point of view, these reports should be seen also as efforts to explain the role and the significance of the Gospel-book in the conciliar procedure to people who were not aware of it. They could be treated as attempts to establish the argument, which we will examine more extensively later,⁶⁰ that it was Jesus Christ through the Gospel-book who condemned Nestorius. This makes it even more likely that it was in Ephesus where the Gospel-book was enthroned and used for the first time in a council. As such it is Cyril's innovation and not an established practice set by Nicaea and taken after by the councils that followed.

My claim here is further supported by the fact that the book's role is highlighted differently in the *Acts of Ephesus* and in the *Acts of Chalcedon*. As I said, in the course of Ephesus it is mentioned only once somewhere in the middle of the first session (E431, s.1, CV §51). It is completely neglected at the opening of the council. On the contrary, the presence of the Gospel-book in the midst of the room is highlighted straight from the beginning in Chalcedon (CHA. s.1, §4), most probably in an effort not only to ascertain Christ's presence and presidency over the assembly, but also to establish the theological legitimacy of the council as an inheritor and continuator of the tradition initiated by (the now Father) Cyril in Ephesus.

What is also remarkable is that after Ephesus, we have a gradual increase in the references on the use of the Gospel-book in conciliar and extra-conciliar context, which leads to the book's introduction in the secular sphere of the Byzantine Empire in the years that follow, as I will show later.⁶¹

To these should be added the fact that in Ephesus, and also the councils after it, there does not seem to be a standardised practice on the use of the Gospel-book. It is used rather freely according to the will of those who invoke its authority. As such, we find the book to be used during some, but not all, testimonies, occasionally with the employment of an oath, or in relation to the decision-making

⁵⁸ ACO 1.1.3:46.

⁵⁹ ACO 1.1.3:83-84.

⁶⁰ Ch.2.

⁶¹ Ch.1.4.v and Thesis Conclusion.

process.⁶² It is also used, yet not constantly, in sessions that address administrative and/or theological issues, and regardless of whether the president of the session is a bishop or a secular official. Finally, we find a variety of people, like clerics of all ranks (bishops, deacons, monks) and secular officials or even the Emperor, invoking its authority and employing it either on others, or on themselves without a specific pattern.

All these will be examined more extensively throughout my whole thesis. The point with which I wish to conclude here is that the aforementioned evidence, alongside the absence of references to the Gospel-book before Ephesus, and the gradually increasing presence of the book in Ephesus and mainly after it, suffice to cast doubt on the wide held assumption that the enthronement of the Gospel-book was initiated in Nicaea and taken after by the councils that followed. To my understanding, the practice was first attempted in Ephesus I by Cyril to serve his own goals, as will be further argued at the end of this chapter.

Meanwhile, there are still a few more things that need to be addressed here and that contribute to my argument on Cyril's innovation, starting from what we know about the Gospel-book in the time before Ephesus and moving to the question on the presence of the Gospel-book in the secular courts and the use of oath with it.

1.3 THE PRESENCE AND USE OF THE GOSPEL-BOOK IN THE EXTRA-CONCILIAR, RELIGIOUS SPHERE BEFORE THE COUNCIL OF EPHESUS

As explained, the question on the presence of the Gospel-book in the conciliar sphere prior to Ephesus seems like "uncharted waters". Yet, the same does not apply for the extra-conciliar sphere of the second to fifth century, on which a few excellent studies have been published. These studies are examined below, so as to give a clearer understanding of the authority and the role of the book at the time of Ephesus.

⁶² Ch.4.

The production and use of books and manuscripts was an important part of the ancient Greek, Jewish and Roman cultures, and it was passed to the Christian communities early on. For Keith, these manuscripts “functioned as cultural artifacts whose significance extended far beyond the content or tradition that they transmitted” and the use of books was a fundamental part of the identity of each group.⁶³ Mark the Evangelist’s conversion of the oral tradition about Jesus Christ to a written manuscript and its subsequent use in the Christian liturgies was a crucial element that shaped the Christian identity and allowed it to distinguish itself from its Jewish counterparts.⁶⁴

To my understanding, it is probable that this Christian desire to distinguish themselves from the Jews is also one of the reasons the Gospel-book ended up in the midst of the Christian liturgy and worship. As Watts points out, after the sacking of Jerusalem and the destruction of the Jewish Temple by the Romans, the Jews were left only with the Torah as their unifying symbol. As such, the placement of the Torah scroll in the midst of their worship to signify God’s presence among them and His favour on them became even more important to the Jews.⁶⁵ So it is probable that the Christians inherited this practice and understanding of the book from them, along with the Hebrew Bible itself enriched with the New Testament manuscripts. The replacement of the Hebrew Bible by the Gospel-book in the middle of the worship could have played a major role in the shaping and understanding of the Christians as a group with a different identity than those around them.

Aside from this, studying the works of the classic authors was significant for the Romans and the ancient Greeks; but for the Christians, who were mostly illiterate, it was extremely difficult to study their scriptures. As such, the Christian texts acquired from the beginning a more symbolic role very closely related to the identity of the Christian community as a new religion. This is evident in the destruction of Christian books during the Diocletianic Persecution of 303 AD functioning as a direct blow on the identity of the Christian identity itself.⁶⁶

So great was the significance of these manuscripts to the Christian identity and the transmission of the word of God, that the Christians “had a relatively well-

⁶³ Keith, 2015:28-31.

⁶⁴ Keith, 2015:38-39.

⁶⁵ Watts, 2013:363.

⁶⁶ Keith, 2015:28-31,37.

developed social and scribal network" already from the second and third centuries, as Kruger remarks.⁶⁷ This network was tasked with the production and dissemination of the Christian scripts throughout the empire, a fact that eventually led to the establishment of the canon of the early Church.⁶⁸ This network, mainly consisting of monastic communities continued its work after the fourth century, as Kotsifou notes, and it undertook this responsibility so seriously to the point that the Pachomian monasteries were educating their monks to make them literate.⁶⁹

An element that aided Christians to distinguish themselves from the Greek, Roman and Jewish communities around them was the use of codices at a time when the other communities were still using scrolls.⁷⁰ According to Kruger, one of the reasons the Christians preferred the codices was because only a codex could hold the four Gospels together in one volume and thus form the New Testament canon.⁷¹ The majority of Christian codices before the fourth century were made of papyrus, and only a few of parchment.⁷² It is possible that the use of parchments codices originated from Egypt, the land of Cyril, given that this practice was used even for non-Christian manuscripts from as early as the early second century, as the Papyrus Oxyrhynchus 30 with *De bellis Macedonicis* reveals.⁷³

However, in the fourth century we have a gradual increase of the use of parchment in the codices. It is attributed to practical reasons, as for example the fact that the parchment was more durable and suitable for the preservation of coloured ink, which in turn enabled the writers to produce more decorated codices.⁷⁴ The shift from papyrus to parchment in the Christian codices becomes even more dominant from the fifth century onwards, a decision which could be closely related to the events in Ephesus I, because aside from the practical convenience, there could be a theological foundation too. A Gospel-book made of parchment could act as the best visible representation of the incarnation of Word (*Logos*) as Jesus Christ. As Lowden rightly remarks: "When the gospel text was written on the animal-skin sheets of a book, the word was made flesh. When the gospel was bound and its exterior decorated with images, the word was made visible. When such a book

⁶⁷ Kruger, 2013:33-40.

⁶⁸ Kruger, 2013:40.

⁶⁹ Kotsifou, 2007:48-66.

⁷⁰ Kruger, 2013:18-20.

⁷¹ Kruger, 2013:21.

⁷² Kruger, 2013:22-27.

⁷³ Kruger, 2013:23³⁷.

⁷⁴ Kruger, 2013:24.

was displayed in a procession or on an altar, the viewer beheld via its exterior the *doxa* of the word, the glory, that is to say, of God incarnate".⁷⁵ Consequently, the prevalence of the parchment as the most suitable material for the Gospel-books produced in the centuries that followed, as presented in Lowden's work, can be the result of a theological development that emerged in Ephesus and that was heavily influenced by the actions of Cyril.

Regarding the appearance of the Christian codices of every kind (and not only of the Gospels), they came in different sizes. Even pocket and miniature codices existed, allowing people to carry them more easily.⁷⁶ As such, it is not surprising that we find Christians using them in various aspects of their lives. As Sarefield, drawing from Gamble, informs us "they were displayed in processions and read aloud to the congregation during worship services, interpreted in preaching and in the instruction of catechumens, and deployed in apologies and for settling internal theological disputes".⁷⁷ But the Christians were using these documents in their interactions with the secular world too, as for example when they had to appear before a government official for a hearing. They were using these texts in an effort to defend themselves, as the case of the late second-century Numidian Christian Speratus shows before the proconsul of Africa.⁷⁸

However, there are two things that need to be reiterated here for the sake of clarity. Firstly, when we refer to the Christian codices before the fourth century, we do not mean a compilation of the four gospels bound together in a single book that later becomes the "Gospel-book". They were rather collections of full or even partial texts (i.e. Apostolic letters etc.) so as to be more easily carried and used by the Christians in their everyday activities.⁷⁹ On the other hand, the first imperially produced Christian codices that contained almost the whole Christian Bible (i.e. Old and New Testament) were the Codex Vaticanus (c.325-350) and the Codex Sinaiticus (c.330-360) that we mentioned earlier.⁸⁰ Yet both types of codices are significantly different than the Gospel-book used in Ephesus, that is a codex containing the four Gospels.⁸¹ It is from the fifth century onwards that the

⁷⁵ Lowden, 2007:13-47.

⁷⁶ Kruger, 2013:22-27.

⁷⁷ Sarefield, 2007:165; Gamble, 1995:99.

⁷⁸ Sarefield, 2007:165.

⁷⁹ Rapp, 2007:202.

⁸⁰ Ch.1.ii.

⁸¹ Besa, *Life of Shenoute* 128-130, Gaddis, 2005:252.

type of the Christian codex that prevails is the one that contains the Gospels, as Lowden's study shows.⁸² To my understanding, this could possibly be attributed to Cyril's raised status and his use of the Gospel-book in Ephesus.

Secondly, the use of these codices before the fifth century was mainly emphasising their content and their value as texts, and not as much on their authority as objects *per se*. The literate Christians were studying the passages of the Scripture for their own spiritual development, using them in prayers, or drawing arguments from them to support their positions when encountering their Christian and non-Christian opponents. It is my understanding that the shift of emphasis from the content of the codices (i.e. Scripture) to the codices themselves as powerful objects happened gradually for educated Christians. Still, we can hardly exclude the possibility that the codices were treated as magical objects straight from the beginning from the illiterate and not theologically advanced Christians, especially if they were converts from religions that acknowledged such powers in other objects.

In any case, the more the codices were linked to the identity of Christians as a separate religion in the Roman Empire, the more significant they became as objects invested with supernatural powers. The way, however, these supernatural powers were understood changed significantly in the fifth century. Again, I believe that Ephesus' employment of the Gospel-book played a major role in this. This becomes apparent when one considers that the Christian fathers prior to Ephesus were condemning the use of the codices as objects with magical or divine power, and kept stressing the importance of the message they contained and not the object itself. But from the fifth century onwards, and possibly starting with Cyril, the idea that the Gospel-book was bearing the power and authority of Jesus Christ became more established and widespread in the Christian world.

As a matter of fact, Rapp does an outstanding job in outlining how the Christian codices were used in late antiquity.⁸³ She calls them "physical depositories of the Word of God shared in the holiness of the messages they contained",⁸⁴ and she is right with regard to the overall picture. However, her treatment of the topic mainly uses sources that either refer to the Gospel-book, but succeed Ephesus, or sources that precede the council, yet do not specifically refer to the Gospel-book, but rather

⁸² Lowden, 2007:13-47.

⁸³ Rapp, 2007:194-222.

⁸⁴ Rapp, 2007:196.

to the sacred Christian texts in general. The only clear references to the Gospel-book before the fifth century, are the cases of Cyprian of Carthage (third century), who was afraid to touch the Gospels before becoming a Christian, and John Chrysostom (fourth century), who acknowledged the use of the Gospel-book as a phylactery in homes, but condemned its use as an object on which Christians should take oaths, as examined later.⁸⁵ Yet again it is remarkable that it is Chrysostom himself, along with other Church fathers like Jerome (347-420), who according to Rapp “decried this use of codices not as depositories of text but merely as reservoirs of divine power. They frequently warned their audiences against the use of phylacteries, as this entailed the danger of mistaking the object of the codex for the message it contained”.⁸⁶ Jerome also further condemned as superstition the use of the Gospel codex combined with a piece from the True Cross as talismans.⁸⁷ Meanwhile, Augustine (354-430) was trying to compromise with the idea that Christians were placing the Gospel of John on their heads in an attempt to drop their fever. And contrary to what Rapp claims when she refers to Augustine,⁸⁸ he did not acknowledge the healing power of the codex, but rather tried to accept it as a less bad alternative than the use of amulets by Christians. For Augustine, this practice was still evidence of how “far has human weakness proceeded” and how “lamentable is the estate of those who have recourse to amulets”.⁸⁹

Consequently, the sources above clearly manifest that contrary to what scholarship holds, the identification of the Gospel-book as Jesus Christ was not established before Ephesus, and the use of the Gospel codex as an object with power and authority beyond the value of its content (i.e. scriptures) was strongly opposed by the prominent theologians of the early Church, despite this being a quite widespread practice among the illiterate Christians. As such, it is very likely that the shift from the authority of content of the Gospel-book to its authority as an object *per se* took place in Ephesus I and was significantly shaped by Cyril's employment of the book there. As for the reasons why Cyril did this, they are developed throughout Part I of my thesis, along with my analysis on the role and the authority of the Gospel-book, as argued by the Cyrillian side, in the council of Ephesus.

⁸⁵ Ch.1.4.iii.

⁸⁶ Rapp, 2007:201; “Amulettes”, *DACL*.1.2:1784-1860; Eckstein, Waszink, “Amulett”, *RAC*.1:397-411.

⁸⁷ Jerome, *Commentary on Matthew* 23.5, *CCSL* 77:212; Rapp, 2007:202.

⁸⁸ Rapp, 2007:201-202.

⁸⁹ Augustine, *Tractates on the Gospel of John* 7.12, *CCSL* 36:73.5-6.

Aside from the theological-conciliar employment of the Gospel-book, however, there is another aspect that needs to be analysed and consists my second contribution to which I referred in the introduction of this chapter: the presence of the Gospel-book in the secular courts and the use of oaths over it.

1.4 THE QUESTION OF THE PRESENCE AND USE OF THE GOSPEL-BOOK IN THE SECULAR SPHERE; IMPORTANT ELEMENTS AND CONCEPTS

One of the main uses of the Gospel-book in Ephesus and the councils that followed is as a guarantor of truthful testimonies.⁹⁰ This is achieved by requesting witnesses to testify over the Gospel-book, sometimes with the employment of an oath.

To the modern reader, whose understanding has been significantly shaped by the Western civilisation and the Christian religion, this practice looks fairly reasonable and familiar: in many Christian and western countries around the world a Gospel-book is positioned in the centre of the court and all the witnesses mainly (and the litigants occasionally) are requested, before they testify, to take an oath on the book that they will speak truthfully without hiding anything. After they swear, the Gospel-book remains in the room, usually in front of them, so that all testimonies are given over it. In many places this judicial practice is still seen as the best way (alongside with the support of the secular means of trial and evidence) to force the witness to speak the truth, as they are reminded that they testify before the all-knowing God that will punish them, should they perjure. Consequently, notions like "whole truth", "oath", "judgement", "God" and "Gospel-book"⁹¹ are so closely interrelated and familiar to the modern person, that when we see the practice in Ephesus, it seems completely normal and reasonable, as if this has always been the way to extract the truth judicially and extra-judicially since ancient times.

However, to my understanding, this is not the case. The issue is that it is merely an assumption that the conciliar oaths on the Gospel-book in the centre of the room taken by witnesses to affirm the truth was a loan of practices already established in the secular sphere and its courts, and that it was later introduced to the Church councils. This assumption, though, is so widespread that can be found in many legal, historical and religious scholars of the 20th-21st centuries,

⁹⁰ Ch.3 and 7.2.

⁹¹ The employment of these notions in Ephesus is examined more thoroughly in Chapters 2 and 3 of my thesis.

usually cross-referencing each other leading to a circular logic, mostly due to the term "Roman law" being so broad that it covers a vast period from the *Twelve Tables* (c.449 BC) to the *Corpus Juris Civilis* (529 AD). In other words, it starts with practices in ancient Roman Republic (509–27 BC), continues in the Roman Empire (27 BC–395 AD) and reaches Justinian's legislation in the Byzantine courts (*Corpus Juris Civilis*). As such, it is sometimes easy to fall into the trap of anachronism and presume that a legal practice so familiar to us (i.e. testimonial oaths on the Gospel-book in courts) of the sixth-century Eastern Roman (Byzantine) courts existed also in the ancient Roman courts, just because they are both hosted under the umbrella term "Roman Law".

Nevertheless, as I hope to show below, no such practice existed *per se* in the secular sphere, so we cannot claim that it was passed to the Church councils of the time. What existed though were different elements and practices that were gradually combined in the period between Ephesus and Chalcedon, and that eventually led to the establishment of a treatment of the Gospel-book that was passed to the secular sphere in the same way it was passed to the Church councils that followed. It was Cyril's actions in the first session of Ephesus I that initiated all these, and it was his and the council's elevated status in the memory of the subsequent generations that shaped not only our view of the Gospel-book in the religious sphere, but also the book's employment in the secular sphere until modern times.

i. The oath in the religions of the Roman Empire by the time of Ephesus I: general points, common ground and important distinctions

In order not to stray from the focus of my thesis, I would like to simply summarise a few conclusions on oath which I reached after careful examination of plenty of evidence and scholars on the topic of oaths in judicial and extrajudicial context in various cultures, religions and places of the early and late antiquity. At the same time, I would like to highlight also the lack of consensus and the ongoing debate on the issue.⁹² Unfortunately, given the limits of this dissertation, these

⁹² Silving, 1959; 1964; Tyler, 1834; Kuttner, 1931; Farid, 2006; Law Reform Commission, 1990; Seidl, 1933.1-2; Mousourakis, 2007; Kaser, 1966; Wenger, 1925; Biondi, 1954; von Bethmann-Hollweg, 1865; Brunner, 1906, 1930; Metzger, 2004:243-276; 2013:1-30; Humfress, 2007a; Rapp, 2007; Cameron, 2013; De Halleux, 1993; Acton, 2011:103-124; Alexander, 1990; Bablitz, 2007; Berger, 1953; Crook, 1955; Zeev, 2010:83-99; Dillon, 2012; Buckland, 1921; Sohm, 1892; Lipsius, 1915; Perret, 1901; Mouterde, 1871; "Oath", *ER*.14:9641-9643; "Oath", *JE*.9:365-367; Troianos, 1964; 1984; 2011; Troianos, Poulis,

conclusions may entail the risk of some generalisations. They can be treated, however, as the common ground in these contexts, despite the existence of some exceptions. According to my research:

- In almost all of the aforementioned contexts and cultures, the oath is treated as an appeal for help to a "higher being". The "higher being" is asked to assist the oath-taker in performing an action (e.g. oath of allegiance to the Emperor; assume a duty, a role or an office and ask from the gods for help to execute it properly; swear an oath to take revenge, or read a letter etc.).
- This "higher being" invoked is most often a divine being. However, there are cases where it is simply a human with "higher" authority or origin, as for example in the case of extra-conciliar oaths sworn in the name of the Emperor (sometimes along with the Holy Trinity) by the repentant Quartodecimans (E431, s.6, CHA. s.1, §922-927, 929, 932, 934-942),⁹³ or the oaths sworn by the name of the ancestors (especially in the ancient Greek and Hebrew context).
- If the oath-taker fails to perform the task of his oath, he commits "perjury" and he may be punished by this "higher being" (in most cases a divine or supernatural entity).
- There is not a single, standardised object on which the oaths are sworn in these cultures and religions. On the contrary, there is a great variety depending on the oath-taker. Some swear by touching a part of their body (e.g. chest, head or genitals), others by touching an object (e.g. weapons, animal organs, stones etc.), and others by not touching anything at all. The juror instead simply raises his hand and swear.
- Oaths were given in everyday life and in courts too.
- A great variety of people were swearing oaths, depending the context, the case and the period (e.g. senators, government and military officials, judges, litigants, accusers and defendants, lawyers, everyday people and others).

2003; Troianos, Papageorgiou, 2009; Troianos, Velissaropoulou-Karakosta, 2002; Triantafyllopoulos, 1978; Kosmopoulos, 2005; Rammos, 1937; Panagiotakos, 1962; Konidiaris, 2011.

⁹³ ACO 2.3.1:215-221; ACCh.1:316-323. For more on oaths by the genius of the Emperor: Tyler, 1834:130-132; Berger, 1953:481; Otto, RE.7:1161; Steinwenter, RE.10:1255; Wenger, ZSSR.RA.23.1:251; Berlinger, 1935:10.

However, aside from these very general and commonly accepted points by the majority of the modern scholars on the oath and its use in the courts (especially of the Roman Empire whose judicial procedure is adapted in Ephesus), there are three more points that I wish to highlight. These points are very relevant to my argument and to the employment of the Gospel-book as a truth-extracting tool on which the witnesses in Ephesus I are invited to take an oath before they testify. Modern scholarship has yet to come to a conclusion on these three points:

- a. It is questionable whether in the ancient Greek, the Jewish, and most importantly the Roman judicial system the witnesses (and not the litigants)⁹⁴ were required to give oaths in courts before their testimonies.⁹⁵ Even if they occasionally did, it is extremely doubtful whether this was part of a standardised procedure.⁹⁶ This becomes even more problematic by the fact that whilst there are scholars who mention the existence of testimonial oaths, they usually do not provide references to primary sources from courts;⁹⁷ and when they do, they are from a judicial practice taking place after the council of Ephesus, and not before it.
- b. Furthermore, it is also questionable whether in these cultures and religions, and especially their judicial systems, there was a direct relationship between the oath and the truth.⁹⁸ In some religions the oath was either forbidden (e.g. Jews and Christians)⁹⁹ or it was seen as an "expression of

⁹⁴ This clarification here is necessary, since the sources attest that requesting oaths from the litigants was already an established practice of the *formulary system*, that is one of the three procedural systems of the Roman Law. The other two systems were: a) the archaic and not so effective *legis actiones*, and b) the *cognitio extra ordinem* according to which the State undertook fully the resolution of a dispute between two parties and on which the Church councils based their judicial procedure. For the litigants' oaths being part of the *formulary system*: *DigJ* 12.2-3 by several jurists of the 2nd-3rd centuries, *Monro*.2:276-295. For the structuring of the judicial procedure of the Church councils according to *cognition*: *Berger*, 1953:393-394; *Graumann*, 2007:103-104. For the main features of *cognition*: *Berger*, et al., 1996:831-834; *Kaser*, 1966.

⁹⁵ *Silving*, 1959:1337⁵⁶; 1964:17⁵⁶; *Kuttner*, 1931:11²⁴; *Troianos*, 1964.

⁹⁶ According to modern scholars, the practice of the litigants swearing oaths already existed in the ancient Greek, Roman and the Jewish courts. For oaths by litigants in the Roman courts: *Berger*, 1953:340,429,534; *Mousourakis*, 2007:32-33,174; *von Bethmann-Hollweg*, 1865:573; *Biondi*, 1913; *Rammos*, 1937:7-15. In ancient Greek courts: *Rammos*, 1937:6-7; *Kosmopoulos*, 2005; *Lipsius*, 1915:895. In Jewish courts: "Oath", *JE*.9:365-367.

⁹⁷ *Mousourakis*, 2007:81,207²⁴,226¹⁰⁸; *Berger*, 1953:735.

⁹⁸ For an excellent treatment of the topic: *Silving*, 1959:1334-1343. Cf. "Oath", *JE*.9:365-367; *Kosmopoulos*, 2005; *von Bethmann-Hollweg*, 1865:573; *Tyler*, 1834:127,150.

⁹⁹ *Matt.* 5:33-37, *Jam.* 5:12. *Silving*, 1964:26-35; *Law Reform Commission*, 1990:6§2.6; *Tyler*, 1834:127. Nevertheless, other passages allow it, as the letters of Paul, *Rom.* 1:9; 2 *Cor.* 1:23, 11:11; *Hebr.* 6:13-6:16.

power" (e.g. Jews, Greeks, Romans and Germanic tribes)¹⁰⁰ or at times it was considered redundant since sincerity was a matter of moral obligation and dignity of everybody (e.g. Jews, Greeks, Christians).¹⁰¹

- c. Finally, it is again questionable whether perjury (judicial and extrajudicial) was punishable by the state. In most cases it was dealt as an issue between the perjurer and the gods, so it was the gods' responsibility to punish him.¹⁰² Here, it should be noted that for the Roman jurisprudence there was a distinction between "false testimony", which was punishable,¹⁰³ and "perjury". The same distinction between these two was later adopted by Canon Law that proceeded further by distinguishing between the crime of perjury and the sin of perjury.¹⁰⁴

Having briefly mentioned as a context these very general points on the notion and practice of the oath by the fifth century, I would like now to focus more (yet again in brevity) on this practice in the Christian extra-conciliar and conciliar context and its combination with the Gospel-book. As I will try to show, the Gospel-book and the oath were not always closely linked to each other and could exist separately, both in the councils and out of them. By doing so, I hope to show that the judicial use of the Gospel-book in Ephesus having the witnesses swear oaths on it before they testify could be an innovation by the Cyrillian synod.

¹⁰⁰ Silving, 1959:1330-1337.

¹⁰¹ Law Reform Commission, 1990:5§2.5; "Oath", *JE*.9:365-367.

¹⁰² Perjury punished by gods: Silving, 1959:1348,1381-1389; Kuttner, 1931:11; Knoke, 1896:47-48; Bechor, 2011:356; Kosmopoulos, 2005. Perjury punished by humans: Tyler, 1834:198-200,212-217; Berger, 1953:465, Pfaff, *RE*.suppl.:4; De Ruggiero, *DE*.2:2182. Perjury in Jews, Greeks and Romans: Tyler, 1834:198-212.

¹⁰³ Ch.3.2.ii.

¹⁰⁴ Silving, 1959:1348,1385; Kuttner, 1931:16-20.

ii. The oath and the Gospel-book in extra-conciliar and conciliar context around the time of Ephesus

As I have explained, the oath existed since antiquity in most religions, despite the differences in practice, meaning and understanding.¹⁰⁵ Even in Christianity, and contrary to any objections or even prohibitions against it, swearing oaths was a fairly common practice in everyday life and in extra-conciliar and extra-judicial occasions.¹⁰⁶

Before Ephesus in 431, extra-conciliarly we find mainly laymen swearing oaths, either by touching the altar and the Gospel-book or without a direct reference to a specific object. For example, Chrysostom condemns the practice of Christians "approaching the altar and touching the Gospel-book and swearing an oath", as we will see later (*Hom.* 15 §5).¹⁰⁷ He also decries the Christians who went to the Jewish synagogues to swear an oath on the Jewish altars, rather than the Christian churches (*Hom.* 1, §3.4-5).¹⁰⁸ Other times, Christians were taking oaths without a direct reference to an object, as for example the oaths by the repentant Quartodecimans (c.428) mentioned in the sixth session of Ephesus and quoted in the first session of Chalcedon (E431, s.6, CHA. s.1, §922-927, 929, 932, 934-942).¹⁰⁹ To the best of my knowledge there are not many, if any, cases of Christian clerics swearing oaths before Ephesus.¹¹⁰

However, after the council of Ephesus in 431 this changes, and we find clerics of all ranks swearing oaths extra-conciliarly: either voluntarily or after having been forced to. For example, archbishop Dioscorus after succeeding Cyril in the see of Alexandria (c.444) swears to comfort and not hurt Cyril's relatives

¹⁰⁵ Silving, 1959; Tyler, 1834. In Greek the same topic is expounded thoroughly in Kosmopoulos, 2005.

¹⁰⁶ For prohibition, see Matt. 5:33-37, Jam. 5:12; John Chrysostom, *Homilies*, 1 §3.4-5 (PG 48:847); 15 §5 (PG 49:160). For permission of the practice see Paul's letters: Rom. 1:9; 2 Cor. 1:23, 11:11; Hebr. 6:13-6:16.

¹⁰⁷ Ch.1.4.iii.

¹⁰⁸ Ch.1.4.iii.

¹⁰⁹ ACO 2.3.1:215-221; ACCh.1:316-323.

¹¹⁰ The only source of a cleric being forced to swear an oath on the Gospel-book is from an incident with bishop Bassianus, that we will examine later (Ch.7.1.ii). It took place sometime around the council of Ephesus, but it is impossible to say with certainty whether it was before or after it.

(CHA. s.3, §57).¹¹¹ Presbyter Cassianus (c.447)¹¹² is forced by Bishop Stephen to swear an oath on the Gospel-book that he will never abandon bishop Bassianus (CHA. s.11, §39).¹¹³ Bishop Daniel of Carrhae (pre 448) voluntarily gives an oath to the deacon Abramius that he will offer Abramius' estate to the poor after the deacon's death and yet he perjures, as accused in the council of Berytus (TB449, CHA. s.10, §73.16).¹¹⁴ We even have examples of written oaths instead of verbal, as in the case of bishop Athanasius who is reported to have resigned from the see of Perrhe by sending three letters that involved an oath to the council of Antioch in 445 (A445, CHA. s.14, §50, 59, 80, 92).¹¹⁵

In a conciliar context, we find Ibas of Edessa (449) swearing that he did not say anything heretical when charges were brought against him by presbyters and monks of Mesopotamia in the council of Tyre/Berytus (TB449, CHA. s.10, §22);¹¹⁶ as well as, Dioscorus of Alexandria in Ephesus II, who reportedly swore multiple times to read Pope Leo's letter, but he perjured (E449, CHA. s.1, §90-91; s.3, §94, 98).¹¹⁷

Consequently, the above evidence shows how the oaths were fairly common for the laymen before Ephesus I, and how this practice was gradually spread to the clerics too after 431, some of them performing it voluntarily, while others forcefully. With regard to the use of the Gospel-book, which is our focal point here, not all of the incidents above clearly mention it, and those that they do are in an extra-conciliar context. Still they all share the same characteristic in relation to the employment of the oath: they are oaths on the requirement to take action or to avoid it.

None of these oaths are linked to the truth or the truth-extracting process in the course of a council, which is what we witness in the courts nowadays. Such a use of the Gospel-book combined with both the oath and the truth is attempted for the first time in Ephesus I, during the testimonies of bishops Acacius and

¹¹¹ ACO 2.1.2:20; ACCh.2:58.

¹¹² The dates in parentheses are used to show that the practice was taking place around the time of the councils of Ephesus and Chalcedon.

¹¹³ ACO 2.1.3:50; ACCh.3:13.

¹¹⁴ ACO 2.1.3:26; ACCh.2:285.

¹¹⁵ ACO 2.1.3:72-75; ACCh.3:47-51.

¹¹⁶ ACO 2.1.3:18; ACCh.2:275-276.

¹¹⁷ ACO 2.1.1:83-84; 2.1.2:29; 2.3.2:83; ACCh.1:148; 2:70,111.

Theodotus (E431, s.1, CV §51), as we will see more extensively later.¹¹⁸ This practice seems to become more established (yet freely applied, hence my argument on the graduality of its establishment) around the time of Chalcedon,¹¹⁹ as, for example, in the second session of the Synod of Constantinople (C449b, CHA. s.1, §569-571; §640; §654), or the most probably unfulfilled requests for testimonial oaths by Basil of Seleucia in the first session of Chalcedon (CHA. s.1, §851; §855).¹²⁰

I hope that the above establish that neither the presence of the Gospel-book, nor its use in the truth-extracting process should be taken for granted in the councils before and slightly after Ephesus. This would be fairly reasonable for a practice that took place for the first time in Ephesus I and was then gradually established in the councils that followed, until it became the standardised procedure in the councils and courts of the sixth century.

This claim brings us to the other aspect that needs to be examined here, and that is the use of the oath and the Gospel-book in the judicial and extra-judicial context before the time of Ephesus.

iii. The oath and the Gospel-book in the judicial and extra-judicial context before Ephesus I

The question about the judicial use of the oath itself is far too great to be analysed within the narrow limits of this dissertation that focuses on the absence of the Gospel-book in the councils before Ephesus and the book's gradually increasing presence and authority in it and the ones after it. After all, several excellent studies have been published on the appearance and the development of the oath in the everyday life and in the courts of the ancient Greece, the Roman Empire, as well as the Jewish context and environment in which the Old and New Testament were written.¹²¹

¹¹⁸ Ch.3.2.ii.

¹¹⁹ Ch.4.

¹²⁰ Ch.7.2.i.

¹²¹ I have intentionally chosen not to focus on the oath-taking practice of the Germanic tribes, since their influence on the western part of the Roman Empire was after Ephesus that I examine here. For further information on the practice: *ER*.14:9641-9643; Brunner, 1906, 1930.

In an attempt to summarise these studies, I would say that they can be divided in two main categories: a) the localised and focused ones that examine the use of oath in a specific religion and culture and in a specific period of time; and b) the ones that cover the topic (in different degrees of depth and extent) in various cultures, religions and eras, with some of them extending from the ancient Greece to the modern times. Of all these studies, some acknowledge the use of oaths in the Roman and Byzantine courts, and others are aware of the presence of the Gospel-book in Ephesus and in the secular courts of the empire.

However, none of these studies highlights the link between the authority and the use of the Gospel-book in Ephesus, and its later introduction to the secular courts of the empire precisely as a consequence of the book's gradually increasing presence and authority since Ephesus I. A development made possible, as I argue, thanks to Cyril's and Ephesus' impact on the later generations.

The field abounds in evidence of oaths taken in courts by most of the participants in the trials. We are aware of oaths being taken by judges and consuls at the beginning and end of their offices according to which they swear that they will execute their service faithfully and impartially.¹²² There is also evidence of oaths taken by judges during their service when they could not come up with a decision,¹²³ as well as oath taken by litigants.¹²⁴ Nevertheless, prior to Ephesus I we have no evidence of oaths taken by witnesses on the Gospel-book during the judicial procedure that they will speak the truth, even if modern scholarship seems to assume this. After all, the combined use of the Gospel-book and the oath in the courts of the Roman Empire would presuppose the existence of many Gospel codices produced by the state and distributed throughout it, which is extremely unlikely, especially considering that Christianity was occasionally persecuted until

¹²² Tyler, 1834:137-138; Berger, 1953:451,522; Kübler, *RE*.14:416; Steinwenter, *RE*.10:1257; Neumann, *RE*.1:25; Staedler, *ZSSR.RA*.61.1:81; Maschke, 1884; Kosmopoulos, 2005:102-122.

¹²³ Bablitz, 2007:109-110,522.

¹²⁴ Berger, 1953:340,429,534; Mousourakis, 2007:32-33,174; von Bethmann-Hollweg, 1865:573; Biondi, 1913; Steinwenter, *RE*.10; Sacchi, *NDI*.7; Chevrier, 1921; Seidl, 1933.1-2; Rammos, 1937:6-15; Kosmopoulos, 2005:102-122; Lipsius, 1915:895. It is possible that such an example could be the incident of Jesus in the Jewish High Court, where a judicial oath is apparently imposed on him by the Jewish high priest Caiaphas. This does not refute my overall argument however, as Jesus is acting as a defendant and not a witness; there are no clear references to an equivalent of the Gospel-book being used for the oath (e.g. Torah); nor does Jesus appear to swear an oath, since his reply is: "You have said it yourself" (Matt. 26:63-64). In other words, this is an example of existence of judicial oaths in the Jewish courts, but it is not a truth-extracting oath sworn by a witness on the Gospel-book, or another sacred book. Further on this incident see: Tyler, 1834:247-255; cf. Thayer, 1958:224; Robertson, 1930:218.

the Edict of Milan in 313, and it was made the official religion of the Empire with the Edict of Thessalonica only in 380.

As a matter of fact, we do not have evidence that there were any testimonial oaths at all in the Roman courts before the fourth century, even without the use of the Gospel-book.¹²⁵ This requirement was first constituted in the beginning of the fourth century by the Emperor Constantine.¹²⁶ Constantine, whose reign started in 306, issued at some point a constitution ordering all witnesses to swear an oath before giving a testimony in courts. However, this constitution has been lost and makes it impossible for us to trace its exact date.¹²⁷ Fortunately though, we know that it was reissued by Constantine in 334, and it has been passed to us as the Constitution of Naissus, which mandates:

"We have previously commanded that before they give their testimony, witnesses shall be bound by the sanctity of an oath, and that greater trust shall be placed in witnesses of more honourable status." (*CTh* 11.39.3).¹²⁸

Yet again, Constantine does not make any reference to an introduction of the Gospel-book in the courts as an object on which people would swear an oath before they testify.

At the same time, we know from contemporary sources that in the Christian context people were accustomed to giving oaths not only on the Gospel-book by touching it, but on the altar too, as we saw earlier in my brief reference to John

¹²⁵ Here it is probably useful to clarify that there is a law by the Emperors Diocletian and Maximian in 286 (*CJ* 4.20.5) that according to Blume's translation refers to judicial oaths by witnesses in the Roman courts as a means to extract the truth: "Those witnesses should be summoned, in order to show the truth, who are able to place their judicial oath above every favor and influence". However, in reality the Latin text does not make any reference to oaths and it is probably an accidental mistake of the translator: "Eos testes ad veritatem iuvandam adhiberi oportet, qui omni gratiae et potentatui fidem religioni iudiciariae debitam possint praeponere". This mistake is evident also by the fact that Scott provides a more accurate translation than Blume: "In order to ascertain the truth, witnesses must be produced who hold in greater esteem the faith due to justice than the favor and power of those entitled to the same". Blume: *CJ* 4.20.5; Scott.13: *CJ* 4.20.4. For the Latin text: Beck, 1829:134.

¹²⁶ Silving, 1959:1329-1390,1337⁵⁶; 1964:17⁵⁶; Kuttner, 1931:11²⁴; Farid, 2006:555-561,557¹²; Law Reform Commission, 1990, http://www.lawreform.ie/_fileupload/Reports/rOaths.htm, accessed 08/06/2013.

¹²⁷ Pharr:340⁷.

¹²⁸ "iurisiurandi religione testes prius, quam perhibeant testimonium, iam dudum arctari praecepimus, et ut honestioribus potius fides testibus habeatur". *CTh* 11.39.3, Pharr:340. For the Latin text: Godefroy:336.

Chrysostom (c.349-407) and the condemnation of this practice in two of his homilies.¹²⁹

This is particularly important, not only because it is probably the first evidence of the Gospel-book being used with oaths, especially when it is against the instructions of an important figure of the Church like John Chrysostom; but also because this practice is picked up by Rapp and used in a way that can potentially cause unintentional misunderstanding. In her "Holy Texts, Holy Men and Holy Scribes" she uses these two fourth-century passages in a paragraph that refers to the practice of swearing oaths on the Gospel-book in the courts of the sixth century, without however elaborating further on it. Hence, it is possible that upon reading it, one may get the impression that this was the normal judicial procedure in the secular courts of fourth and fifth century too.¹³⁰ However, this is not accurate, because Chrysostom does not refer to an alleged judicial practice, but to an extrajudicial one, and as such it cannot be used as evidence of the presence of the book in the Roman courts.

More specifically, in the first passage coming from Chrysostom's *Homily to the people of Antioch* written in 387, when Chrysostom was still a presbyter in Antioch, he records the practice of visiting the churches and swearing oaths on the Gospel-book on the altar to extract the truth:

"What are you doing, human? You swear an oath on the sacred altar on which Christ lies slain? ... Do you think that the church was made so that we swear? It was made so that we pray! Do you think that the altar is placed there, so that we swear? It is placed there so that we loose sins, not bind them!

But rather than anything else, at least revere the book that you produce (προτείνεις) in the oath, and open the Gospel-book that you take in your hands when you order someone to swear an oath and hear what Christ declares there concerning the oaths, shudder and desist! So what does he say about oaths? 'But I say unto you, do not swear not at all.' And [yet] you swear such an oath, [even though] the law obstructs swearing? Oh what a hybris! Oh what a paranoia! What you are doing is like if the lawmaker obstructs

¹²⁹ Ch.1.3-1.4.

¹³⁰ Rapp, 2007:196-197¹¹.

murder, and [yet] you make him your ally that orders you to commit murder! I do not lament and weep as much for the people who are slain on the streets, as I do and shudder when I see someone approaching the altar and touching the Gospel-book and swearing an oath! ... If you believe that someone is honest, do not force him to swear an oath; if, on the other hand, you know that he is lying, do not force him perjure! '[I do this] in order to receive information' they say. [But I say to you:] when you have not imposed an oath on someone, it is then when you will receive sufficient information." (*Hom.* 15, §5).¹³¹

At first glance, this practice may seem similar to what will take place in Ephesus, where we have the first attested –to my understanding– combination of the oath and the Gospel-book as Jesus Christ in the truth-extracting process. However, on closer examination it differs significantly both from Ephesus and from the secular courts on which our analysis here focuses.

First of all, Chrysostom does not refer to secular courts, but to churches, and then the oaths do not seem to be related in any way to the judicial procedure. Neither could he refer to a procedure followed by episcopal courts (*episcopalis audientia*), because he would not condemn it, if this was a standardised practice in his Church. Even in the unlikely possibility that it was, despite the lack of evidence to support this, still the presence and use of the Gospel-book in the episcopal courts (which is first attested in 530)¹³² does not connote a presence of the book in the secular courts, which is the focal point of my analysis here.

Furthermore, Chrysostom emphasises the oath, and not the Gospel-book, as an unacceptable means to extract the truth. He also prompts his readers to "open the Gospel-book ... and hear what Christ declares there concerning the oaths", which once again, as argued earlier,¹³³ reveals his absolute emphasis on the content of the book as a bearer of truth, rather on any possible value that it could have as an object. After all, Chrysostom does not even identify the Gospel-book with Christ either, but rather hints at the Holy Gifts or the Cross to refer to the "slain ... on

¹³¹ PG 49:160. The translation here is mine. For an older translation in early modern English: NPNF 2.9:443-444.

¹³² Ch.1.4.v.

¹³³ Ch.1.4.ii.

the sacred altar" Christ. Most importantly, it is clear that Chrysostom condemns the whole practice, instead of approving it, so it becomes obvious that this specific passage cannot be used as evidence to support the presence of the Gospel-book in the secular courts, or of a practice of swearing oaths on it in order to extract the truth during the judicial procedure; rather the opposite.

In another homily given again in Antioch between 386-387, John Chrysostom describes an incident that took place in front of his eyes and outraged him. This incident possibly provides further evidence on the absence of the Gospel-book from the courts of the time. In his first Homily *Against the Jews*, he says:

"4. ... Three days ago (believe me, I am not lying) I saw a free woman of good bearing, modest, and a believer. A brutal, unfeeling man, reputed to be a Christian (for I would not call a person who would dare to do such a thing a sincere Christian) was forcing her to enter the shrine of the Hebrews and to swear there an oath about some matters under dispute with him. ... I told him first that it was altogether forbidden to swear and that it was wrong to impose the necessity of swearing on anyone. I then told him that he must not subject a baptized believer to this necessity. In fact, he must not force even an unbaptized person to swear an oath.

5. After I talked with him at great length and had driven the folly of his error from his soul, I asked him why he rejected the Church and dragged the woman to the place where the Hebrews assembled. He answered that many people had told him that oaths sworn there were more to be feared. His words made me groan, then I grew angry, and finally I began to smile."
(*Hom. 1*, §3.4-5).¹³⁴

This incident shows again Chrysostom's condemnation of the oath-taking practice, and even though it may leave the possibility open on the use of synagogues as

¹³⁴ PG 48:847. The translation is of unknown origin formerly hosted at the Medieval Sourcebook of the Fordham University and was not included in NPNF. Nevertheless, I confirm its accuracy. It can be also found online on Tertullian Project: http://www.tertullian.org/fathers/Chrysostom_adversus_judaeos_01_homily1.htm, and the Council of Centers on Jewish-Christian Relations: <http://www.ccjr.us/dialogika-resources/primary-texts-from-the-history-of-the-relationship/247-Chrysostom#homily1>; both accessed 08/06/2013.

courts,¹³⁵ it is not clear whether the churches could be operating as religious courts too or if they hosted secular courts. It is most probable that the passage either refers to an extrajudicial settlement of a case, or it simply describes what followed a trial that took place in a secular court. This means that it is possible that the case was settled in a secular court, and as it was accustomed, the defeated party was expected to swear an oath that they would perform an action in favour of the winner according to the court's orders (e.g. pay compensation). So, to my understanding, it is quite possible that the fact that both parties had to go to a synagogue (or alternatively to a church, as Chrysostom suggested), just in order to take this oath, indicates that neither the Gospel-book, nor the practice of swearing oaths on it, had yet been introduced in the secular courts. Had the Gospel-book been there, then the litigants would have no reason to leave the court and go to the temple just to find an object on which they would swear the oath.

Aside from this, it is necessary to highlight another point here; it is clear from this passage that Chrysostom describes an incident taking place between two litigants and not between a litigant and a witness, or a judge and a witness, as would be the case in a testimonial oath. Nevertheless, we saw earlier that the Constitution of Naissus (334) required all witnesses to swear an oath before they testify. So even though it is possible that the Jewish and Christian witnesses had to visit their synagogues and churches to swear an oath there before they attend the court to testify, still this is highly improbable given the impracticality of such a requirement. What is probable, though, is that they were expected to swear oaths in the courts, but without touching an object; or by touching an object other than the Gospel-book (or Torah in the case of Jews), because as I explained, if the book existed in the courts, then they would not have to go to their temples to swear oaths on it, as in the incident above. They would simply swear an oath in the courtroom in the course of the judicial procedure, not before or after it.

Consequently, it has been demonstrated that it is extremely unlikely that there was a Gospel-book in the secular courts of the Roman Empire for the participants to swear oaths on it prior to Ephesus I. Especially taking into consideration that according to Chrysostom, many Christians appeared to be unwilling to swear any oaths in general, as the woman in the passage above. And even when they were not, they showed a special preference to do it not on the Gospel-book, but on

¹³⁵ On the synagogue operating as court: Safrai, 1998:187-190; Schama, 2013:204.

Jewish religious symbols and buildings, because they considered them more authoritative and powerful. And again, the oath-taking practice was strongly opposed by the Church, and as such it is not probable that it would have been institutionalised. After all, we do not have any evidence or institutions issued to support the opposite.

Thus, we reach again the same conclusion that it is very probable that the introduction of the Gospel-book as Jesus Christ and its use in the conciliar-judicial procedure took place for the very first time in the council of Ephesus. With the establishment of the authority of Ephesus in the generations that followed, this new treatment of the book as an authoritative object *per se* was also gradually established in the ecclesiastical and secular areas of the Empire.¹³⁶

iv. The oath, the Altar of Victory and the Gospel-book: similarities, differences and the supremacy of the book

Having thus far examined the use of oath in the religions of the Roman Empire, and its use with the Gospel-book in a conciliar and extra-conciliar context, as well as in a judicial and extra-judicial context before Ephesus, there is one final issue that needs to be addressed, given that it also constitutes another widespread assumption of modern scholarship. This assumption is that the Gospel-book was introduced for the first time in the council of Nicaea to replace the Altar of Victory that had been recently removed, and as such it performed the same function.¹³⁷ This becomes even more interesting to examine, given that it touches on pagan religion. This was the official religion of the Roman Empire for many centuries before the Edict of Thessalonica in 380, issued only a few decades before Ephesus. Other elements will be also examined briefly due to the limits of this thesis. Such elements are the question of the existence of testimonial oaths in the pagan context, as well as the consequences of perjury.

At the end of the fourth century, another religious group, the pagans, were complaining in the Western part of the Empire about the removal of their religious symbols from the courts and other secular buildings.¹³⁸ This is evident in the

¹³⁶ Ch.1.4.v, Ch.4 and Thesis Conclusion.

¹³⁷ De Maio, 1963:10; Dvornik, 1962:19-20,149; Grailot, *DAGR*.5:839.

¹³⁸ On the desacralization of the Roman Empire: Caseau, 1999:21-59. On the conversion of the pagans to Christianity and a re-evaluation of the evidence to argue that this conversion took place much earlier than traditionally believed: Cameron, 2013.

complaint submitted in the form of a letter by Quintus Aurelius Symmachus (c.345-402), an important pagan figure. He was a renowned and educated Roman statesman, orator and prefect of the city of Rome. His *Relatio*¹³⁹ was written in 384 and it was sent to the emperors Valentinian, Theodosius, and Arcadius. In it Symmachus, representing the pagan senators, requests from the thirteen-year-old Emperor Valentinian II to restore the old pagan religion and re-erect the Altar of Victory that was removed from the Senate House (*Curia*) first by Constantius II in 357 and then by Gratian in 382. The Altar was originally established by Octavian in 29 BC and it hosted a golden statue of the Roman goddess Victory. It was used by the Emperors on their accession to swear an oath of loyalty on it.¹⁴⁰ Nevertheless, even though it is known that during the early Roman Empire (31 BC–284 AD), the Senate was holding all judicial powers and it is possible that criminal trials under its jurisdiction¹⁴¹ were taking place in the *Curia*, where the Altar was located, we have no evidence that the Altar was used by the witnesses to swear oaths on it before they testify. Especially given that the Senate had lost many of its powers after the Diocletian constitutional reforms around 300 AD.

Consequently, if it is questionable whether the Altar of Victory was used for testimonial oaths, then it is even less plausible for it to have been replaced in the Roman Senate and secular courts by the Gospel-book so that testimonial oaths were taken on the book. I claim this not only because the practice is not attested in any of the sources currently available, but also on the basis that such a hypothetical practice would not have any historical or utilitarian continuity. In other words, if the Altar of Victory was not used as such in the Roman courts and Senate, why would the Gospel-book be? Especially considering that the Gospel-book as an object did not appear to have a commonly accepted and well-established authority in relation to the oath-taking practice before Ephesus, as I argued above. Something had to change for the Gospel-book to be introduced and employed in the secular sphere, and this “something”, as I will show later, was the employment of the Gospel-book in Ephesus by Cyril.¹⁴²

After all, even though Symmachus complains to the Emperors about the removal of the Altar and requests its return, neither he, nor Ambrose, who attempts through three epistles to persuade the Emperor against the restoration of the

¹³⁹ Symmachus, *Memorial of Symmachus*, transl. NPNF 2.10:414-417.

¹⁴⁰ In the meantime, it was restored, probably by Julian. Caseau, 1999:29.

¹⁴¹ Abbott, 1901:385-386.

¹⁴² Ch.2-3.

Altar, make any reference of the Gospel-book being there.¹⁴³ As a matter of fact, Ambrose clearly states in his letter that Constantius II "commanded [the altar] to be removed, he did not command it to be replaced" (*Letter 18*, §32).¹⁴⁴

Given the opportunity here, it is important to write a few words also on the use of the Altar of Victory by the pagans, based on the argumentation of Symmachus. This is necessary because his arguments show similarities between the role and employment of the Altar in the Senate and the Gospel-book in Ephesus. But these similarities should not be taken as an identical precedent of the practice followed by the Cyrillian synod, because as I will show, the Gospel-book in Ephesus performs a much more complex, multi-layered and authoritative role, encompassing not only attributes of the Altar, but also of the oath itself, while at the same time supersedes them by being something far greater.

More specifically, Symmachus presents the Altar as an object crucial for the function of the Senate and the Empire as a whole, on the basis that people swear oaths on it (in this case oaths of allegiance); it intimidates and prevents people from lying and perjuring; it preserves the concord of all and appeals to the good faith; and more importantly it gives authority to the senatorial decrees:

"6. Where shall we swear to obey your laws and commands? By what religious sanction shall the false mind be terrified, so as not to lie in bearing witness? All things are indeed filled with God, and no place is safe for the perjured, but to be urged in the very presence of religious forms has great power in producing a fear of sinning. That altar preserves the concord of all, that altar appeals to the good faith of each, and nothing gives more authority to our decrees than that the whole of our order issues every decree as it were

¹⁴³ My argument on the innovative placement of the Gospel-book in the middle of Ephesus I by Cyril is further attested by the fact that Ambrose does not refer to it even in his letters that contain the proceedings of the Council of Aquileia of 381 in which he presided and whose minutes are the oldest surviving proceedings from a Church council. On the Altar of Victory: Ambrose, *Letters 17, 18, 57*, NPNF 2.10:411-414, 417-422, 453-455. On the Council of Aquileia: Ambrose, *Letters 8-10*, 1881:31-67; Graumann, 2007:103-108.

¹⁴⁴ "Iussit auferri, non iussit reponi". Ambrose, *Letter 18*, NPNF 2.10:421. Although to be fair to the source, the "reponi" here could also be translated as "put back", which would refer to the Altar of Victory and mean that the emperor did not request for the Altar to be restored, rather than be replaced by a different object. Nevertheless, even translated as such, it does not change anything in relation to the presence or the absence of the Gospel-book from the room. For the alternative translation: Liebeschuetz, 2010:92.

under the sanction of an oath. So that a place will be opened to perjury, and this will be determined by my illustrious Princes, whose honour is defended by a public oath." (*Relatio*, 6).¹⁴⁵

A similar understanding is expressed by Ambrose, who also focuses on the use of the Altar as an object on which the senators (and not the witnesses) swear oaths prior to voting for a decision:

"If today any heathen Emperor ... should give judgment in that court (*curia*) where members were compelled to vote after swearing at the altar of an idol – for they explain that an altar is so placed for this purpose, that every assembly should deliberate under its [oath] (*sacramento*) ... What is an oath, but a confession of the divine power of Him Whom you invoke as watcher over your good faith?" (*Letter 17*, §9).¹⁴⁶

Obviously, the aforementioned seem very familiar to us and similar to the role of the Gospel-book in Ephesus and Chalcedon, where bishops are occasionally invited to swear an oath on the book (in that case testimonial oaths and not of allegiance). As we will later see,¹⁴⁷ the book (and here the Altar of Victory) creates an atmosphere of judgment by intimidating the participants and preventing them from lying and perjuring; it is the object around which everyone is gathered as a common point of reference and an authority accepted by everyone in these councils;¹⁴⁸ and finally it influences the bishops to reach to God-pleasing decisions and gives authority to their conciliar and judicial decrees.¹⁴⁹

However, the Gospel-book does even far more than that. Firstly it manifests the physical presence of Jesus Christ, the supreme and only God of the universe,¹⁵⁰ and not just one god among many, like the function of the goddess Victory in the pagan context. Secondly, its power and authority affects two worlds, the human

¹⁴⁵ NPNF 2.10:415.

¹⁴⁶ Ambrose, *Letter 17*, PL 16:963, NPNF 2.10:412.

¹⁴⁷ Ch.3.2, Ch.7.4.

¹⁴⁸ Ch.2.2, Ch.5.2, Ch.6.2.vi, Ch.7.1.

¹⁴⁹ Ch.2.4, Ch.2.5, Ch.7.3.

¹⁵⁰ Ch.2, Ch.5.2.

and the divine, this life and the afterlife,¹⁵¹ something that cannot be said for the Altar of Victory. The Gospel-book through the council and the imperial mechanism brought secular and religious punishments in the present life,¹⁵² while on the contrary we do not have evidence of such an effect by the Altar (which here I would like to distinguish from the oath, as I will explain in the next paragraph). Similarly, we do not have any evidence about the Altar's power on the afterlife. On the contrary, the Gospel-book was understood to affect the fate of the condemned by articulating the divine judgement and sending the culprits to Hell.¹⁵³

But it is not only the effects of the Altar of Victory on the culprits for which we have no evidence, but also those of the oath that I opted to distinguish immediately above. This distinction emerges also from Symmachus' and Ambrose's words, as I will soon show. Earlier, I also claimed that it is questionable whether perjury inflicted secular punishments on the culprits, as it was usually considered a matter of divine retribution.¹⁵⁴ But even as such, several people expressed their disbelief in the punishment of perjury by gods in the current life. For example, Aristophanes shows Socrates to first refute Strepsiades' belief that Zeus strikes the perjurers with thunderbolts and then proceed in giving a more scientific explanation of thunderbolts:

"you foolish person, and savouring of the dark ages and antediluvian, if his [Zeus'] manner is to smite the perjured, [why] does he not blast Simon, and Cleonymus, and Theorus? And yet they are very perjured. But he smites his own temple, and Sunium the promontory of Athens, and the tall oaks. Wherefore, for indeed an oak does not commit perjury. ..." (*Clouds*, verse 397).¹⁵⁵

Similarly, Ovidius expresses his indignation against gods for not punishing a girl who committed perjury:

¹⁵¹ Ch.2, Ch.3, Ch. 7.4.

¹⁵² Ch.3.2.

¹⁵³ Ch.2, Ch.3, Ch. 7.4.

¹⁵⁴ Ch.1.4.i. The issue of the punishment by the secular authorities was even more difficult in the ancient Greece, given the lack of a consistent legal system shared between all city-states; each city had its own rules and regulations with different practices, judicial means and punishments. Triantafyllopoulos, 1978:1-13; Tyler, 1834:203.

¹⁵⁵ Aristophanes, *Clouds*, 1853:135.

"Go, believe there are gods — she swore and has failed her oath, and still her face is fair, as 'twas before! ... Jove [Jupiter/Zeus] hurls his own lightning on sacred groves and citadels, and forbids his bolts to strike the fair forsworn." (*Amores III*, iii).¹⁵⁶

These two sources reveal that even the ancients expressed their doubts about the possibility that the perjurers would be punished in this life. This possibility became even more questionable in the afterlife, especially given the fact that according to the pagan religion, all mortals shared more or less the same fate after death, since they would all end in the underworld of Hades. According to Pindar, "those who gladly kept their oaths enjoy a life without tears" in the Elysian plains. Those who did not keep them, however, are not punished more severely. They too end up in Hades, like every other human, even if their fate is described by the poet as "a toil that is unbearable to look at" (*Odes Olympian* 2.65-70).¹⁵⁷ Consequently, it becomes apparent that despite the similarities, neither the Altar, nor the oath could be taken as identical precedents of the Gospel-book in the pre-Christian times, nor as objects bearing the same authority. The Gospel-book affected both the current and the eternal life, and integrated the authority of both the oath and the Altar, and enhanced them even further.

As for my earlier distinction between the authority and the consequences of the Altar and those of the oath, this is also a distinction made by Symmachus, though subtly. After a closer examination of his appeal to Valentinian, one can realise that although his request is for the Altar of Victory to be reinstated, his emphasis falls on the oath. This is evident through the repetition of words and phrases like "where shall we swear", "by what religious sanction", "no place is safe for the perjured", "sanction of an oath", "perjury" and "defended by a public oath"; or in Ambrose's words, the "altar is so placed" in the curia so that the "members were compelled to vote after swearing at the altar of an idol" and "every assembly should deliberate under its [oath]". It is the oath that has these effects and authority over the pagans and not the Altar itself. The Altar is simply the object on which they swear the oaths, in the same way that the Christians in Chrysostom's passages

¹⁵⁶ Ovid, *Heroides and Amores III*, iii, 2015:456-459.

¹⁵⁷ Pindar, *Odes*, transl. Svarlien, *Perseus Digital Library Project*, G.R. Crane, 1990, <http://www.perseus.tufts.edu/hopper/text?doc=Perseus:text:1999.01.0162:book=O.:poe m=2>, accessed 08/06/2013.

swear their oaths on the Christian altars. Aside from this, its main function is to "preserve the concord of all" and "appeal to the good faith of each". But, as I will show later,¹⁵⁸ in Ephesus it is the Gospel-book that incorporates all these attributes and authorities, with or without the employment of an oath. And even in the cases where an oath is used in combination with the Gospel-book, then this oath has a mainly "supporting" authority,¹⁵⁹ and it is not the other way around, as in the case of the oath and the Altar of Victory in which the former is more powerful than the latter. After all, the oaths were far more widespread in ancient Greece and Rome and people used a variety of objects on which they could swear, and not exclusively the Altar of Victory. In this sense, the oath had a much stronger and indispensable function than the object on which it was taken, which varied from person to person and that could often be replaced.¹⁶⁰

This is further evident by the fact that for Symmachus the Altar has a more "symbolic", and less actual or practical authority. He is keen to compromise with the idea of restoring the Altar not as a symbol of a living deity on which the pagans would sacrifice, but as a desacralized secular symbol of the state: "if she cannot be honoured as a god, at least let her name be honoured" (*Relatio*, 4).¹⁶¹ Similar to this understanding is Caseau's approach, who argues that the removal of the Altar was a "symbolically charged gesture" signifying the desacralization of the Roman State, the "rupture with the pagan understanding that the virtuous piety of the Romans toward the gods had entitled them to conquer an empire". And, as Caseau further informs us, in the end, the desacralized Altar remained in the Senate House as a secular, and not religious or divine, symbol of the state.¹⁶²

To conclude this section, it is worth reiterating the two points that became evident through my analysis of the sources above:

- a. Despite the ostensible similarities between the function of the Gospel-book and the Altar of Victory, the former had a wider, more multi-layered and authoritative role, in the sense that it incorporated many of the functions

¹⁵⁸ Ch.2-3.

¹⁵⁹ Ch.3.

¹⁶⁰ Tyler, 1834:99,116-120,122,127,129; Kosmopoulos, 2005:58-126, 240-277.

¹⁶¹ Croke, Harries, 1982:36. Here I prefer to use Croke and Harries' translation, rather than NPNF's, because it is more comprehensible.

¹⁶² Caseau, 1999:29-30.

of the oath and that its effects and consequences were more imminent and persistent to this life and the afterlife.

- b. Most importantly, it is quite probable that by the time of Ephesus, the Gospel-book had not yet been introduced in the secular buildings and institutions (e.g. courts, Senate etc.), either to exist on its own in the centre of the room as a symbol of God, or to be used with testimonial oaths in the judicial procedure.

v. The introduction of the Gospel-book in the secular buildings and courts after the councils of Ephesus I and Chalcedon; a brief overview of the councils' aftermath

As I claim throughout this thesis, the Gospel-book was introduced and used for the first time in the conciliar-judicial procedure of Ephesus.¹⁶³ The later councils picked up this practice and gradually established it, following the elevation of Cyril's status to a Father and Ephesus I's to an ecumenical council.¹⁶⁴ Below I will establish my other claim that argues further against the wide held assumption that the practice was transferred from the secular sphere to the ecclesiastical. In reality, it was the other way around. The Gospel-book as Jesus Christ and supreme truth-extracting object was passed from the Church councils to the secular buildings and courts of the Eastern Roman/Byzantine Empire.

In 469, four decades after Ephesus I and almost two decades after Chalcedon, Emperor Leo I the Thracian imports the Gospel-book in the secular sphere by mandating that the book must be placed in significant government buildings where the curials and people with authority assembled, discussed and took decisions. The reasoning is so that they are influenced by the book's authority and inspired by it to "give [their] opinion in the presence of the holy scriptures, as to what [they] think for the best advantage to the city" (*CJ* 11.32.3.2).¹⁶⁵

Almost a century after the two councils (530-544)¹⁶⁶ Justinian, probably influenced by the now legendary status of Ephesus (and Chalcedon to a great extent), orders

¹⁶³ Part I.

¹⁶⁴ Part II.

¹⁶⁵ Blume: *CJ* 11.32.3.2.

¹⁶⁶ Here it should be simply noted that all these laws by Justinian that introduce the Gospel-book in the secular courts were issued almost two decades before Constantinople II (553),

the Gospel-book to be introduced for the first time in the secular courtrooms, so that every participant in the trial (judges, witnesses and litigants) swear oaths on it, be affected by it, or even be represented by it if a litigant is absent (*CJ* 2.58.2.8; *CJ* 3.1.13.4; *CJ* 3.1.14.1-5; *JNov* 60.2.1; *JNov* 69.3.1; *JNov* 90.9; *JNov* 124.1).¹⁶⁷

At about the same time (530-534) we find the first references to the Gospel-book being employed in the episcopal courts (*episcopalis audientia*) (*CJ* 1.4.27.1,3; *CJ* 1.4.34.4-5,7,16).¹⁶⁸ Yet, it should be clarified here that, given the religious nature of the episcopal courts and the buildings in which they were assembled (usually the episcopal residence or a church),¹⁶⁹ it would not be unlikely if the Gospel-book was employed there earlier. Still, the Theodosian Code and Novels are completely silent about this, as are all the sources before Ephesus and possibly Chalcedon.¹⁷⁰

Consequently, it becomes apparent that we should not presume that the Gospel-book was enthroned in any of the councils or the courts before Ephesus I, and that it is even questionable whether it was identified with Jesus Christ at all. This is particularly important not only as an innovation undertaken by the Cyrillian synod (especially in contrast to Ephesus I's strong opposition to any innovations in doctrine), but also as an event that changed the meaning of the act and that shaped the practice of the councils that followed in the Byzantine Empire,¹⁷¹ as

which shows that they were in no way influenced by it and that they were responding to a practice already established by Ephesus in 431 and taken up by the more recent ecumenical council, Chalcedon in 451.

¹⁶⁷ Blume: *CJ* 2.58.2.8; *CJ* 3.1.13.4; *CJ* 3.1.14.1-5; *JNov* 60.2.1; *JNov* 69.3.1; *JNov* 90.9; *JNov* 124.1.

¹⁶⁸ Blume: *CJ* 1.4.27.1,3; *CJ* 1.4.34.4-5,7,16. For the scholarship on *episcopalis audientia*, see footnote on Ch.6.1 and bibliography.

¹⁶⁹ Lamoreaux, 1995:156-157.

¹⁷⁰ *CTh* 1.27.1 (318), 1.27.2 (408), *SirmC* 1 (333), *ValNov* 35 (452), *MaJNov* 11 (460). Pharr:31-32,477,545-549,561.

¹⁷¹ As De Maio correctly highlights, we have no evidence that the practice of enthroning the Gospel-book in the middle of the assembly was followed by the Western councils. Dvornik suggests that the practice was first instituted in the west in the Council of Vienne (1311), but as De Maio remarks, Dvornik provides no documentary evidence for his claims. For De Maio, it is possible that the initiation of this practice in the West took place in the Council of Trent (1545-1563) in which the Gospel-book is mentioned, but given its absence from other contemporary sources (e.g. paintings, diaries of participants etc.) it is unclear if the Gospel-book was used in the same way as in Ephesus. In any case, the book and the practice disappear again for four centuries and is revived in the Vatican I (1869) and Vatican II (1962-1965). De Maio interestingly argues for the relation between the authority and the throne of the Pope in the Western councils and the absence of the Gospel-book from there. For De Maio, this is evident in reverse in the Eastern councils that emphasised as much as possible the presidency and the throne of the Gospel-book probably in attempt

well as the secular and religious courts of the East and West, until the modern times.¹⁷²

CONCLUSION – EVIDENCE POINTING TO CYRIL AS THE INITIATOR OF THE ENTHRONEMENT OF THE GOSPEL-BOOK IN COUNCILS

Thus far I have established the reasons why we should not take for granted the currently widespread assumption of modern scholarship that the Gospel-book was enthroned in the first two ecumenical councils, or that this practice was borrowed from the secular courts of the Roman Empire. As I have argued throughout this chapter, it was Cyril who initiated this practice in Ephesus I, and he was not continuing an assumed custom of the previous councils. To my understanding, the reasons behind Cyril's innovation are twofold: theological and legal.

Theologically, the position of Jesus Christ on his divine throne next to the Father is central to Cyril's argumentation against Nestorius. For Cyril, the archbishop of Constantinople is "dragging [the Son of God] down from the divine throne".¹⁷³ This theme forms the spine of Cyril's works around the council, as for example his *Letter to the Monks of Egypt* (§7, §16)¹⁷⁴ written in the spring of 429, when the Nestorian doctrines reached Cyril's province (Egypt) for the first time;¹⁷⁵ or the *Second Letter of Cyril to Nestorius* (§6)¹⁷⁶ written in Jan/Feb 430 and read out at

to diminish the significance of the Pope and his throne, as a result of the struggle between East and West. Proof to this are for De Maio the negotiations between the Eastern and Western delegacies on the position of the thrones before the Council of Florence (1431-1445). However, all these would be much later developments than the council of Ephesus in which the dispute between East and West has not peaked and in which Cyril presides as representative of the Pope. As such, all these have been excluded from my analysis above. De Maio, 1963:14-16,42; Dvornik, 1962:149; Massarelli, 1871:14; *Concilium Tridentinum*, 1:352; 2:368,409,492,554-556,636; 3.1:21,121,243-245; 8:283-285.

¹⁷² Obviously, I do not claim here that there was a continuity in this practice starting from the ancient times until today through an uninterrupted line of tradition. Such a claim could be very fragile, given the political, social and military developments and events in the history of the world through these times. However, what I claim here is that, to my understanding, it is possible that the modern practice of placing the Gospel-book in the centre of the courts so that the litigants and the witnesses swear oaths on it before they testify could be a "resurrection" of the conciliar-judicial practice of Ephesus, even if those who revived it and those who follow it today are unaware of this.

¹⁷³ *Letter to the Monks of Egypt* §7, PG 77:17. ACO 1.1.1:13.

¹⁷⁴ McGuckin, 1994:249,254.

¹⁷⁵ PG 77:9-40; ACO 1.1.1:10-23; McGuckin, 1994:245-262.

¹⁷⁶ McGuckin, 1994:264.

the first session of Ephesus on 22 June 431,¹⁷⁷ as well as the *Third Letter of Cyril to Nestorius* (§3)¹⁷⁸ written also in 430 and delivered to Nestorius on 30 November 430;¹⁷⁹ or Cyril's *Homily given at Ephesus on St. John's day*. In the *Church of St. John*¹⁸⁰ preached during Ephesus I in the summer of 431,¹⁸¹ and his *Scholia on the Incarnation of the Only Begotten* (§12, §14, §15, §35)¹⁸² compiled after 431.¹⁸³ Therefore, it is very likely that Cyril introduced the Gospel-book as Jesus Christ and placed him on a seat in the middle of the assembly precisely as a physical manifestation of his theology that reinstates Christ on his throne. It is Nestorius who attacks the Son of God in person, but it is Cyril who helps the "victimised" Jesus to get his throne back and punish the "blasphemer" Nestorius through the council.

However, there are also legal reasons that could have probably led Cyril to proceed to such an innovative practice. As we will see more extensively in Chapter 2, Cyril is deliberately highlighting Christ's presence in the council as the supreme judge and president through the book in order to give legitimacy to his actions and to the decisions of the Cyrillian synod. According to Cyril's argumentation, it is not they who condemn Nestorius, but Jesus Christ himself through the council. The council is used simply as a means for the Son of God to express His will. In the same manner, it is not Cyril who presides over the council, but Jesus Christ himself. This approach is particularly important, because it can be seen as an attempt by Cyril to overcome the legal obstacle of acting both as a judge-president of the council and as a plaintiff against Nestorius, actions that could risk the council's legitimacy and invalidate its conciliar decisions. Of course, given that there was no legal precedent that would give any authority to the appointment of an object as the president-judge of a council, Cyril would have to argue for this innovation and attempt to persuade the only person that held the secular power of ratifying the synod's decisions. This person was the Emperor, and Cyril's letters to him can be taken as precisely that: an effort to persuade the Emperor of the legitimacy of the council's decisions as if they were taken by Christ himself,

¹⁷⁷ PG 77:44-50; ACO 1.1.1:25-28; McGuckin, 1994:262-266.

¹⁷⁸ McGuckin, 1994:268.

¹⁷⁹ PG 77:105-122; ACO 1.1:33-42; McGuckin, 1994:266-276.

¹⁸⁰ McGuckin, 1994:280-281.

¹⁸¹ PG 77:985-989; ACO 1.1.2:94-96; McGuckin, 1994:280-282.

¹⁸² McGuckin, 1994:305,309-310,334.

¹⁸³ PG 75:1369-1412; McGuckin, 1994:294-336.

manifested through the book and guiding the synod to Nestorius' condemnation.¹⁸⁴

It is probably for this very same reason why we never find Cyril claiming that he was the one who enthroned the Gospel-book in Ephesus I, or that he guided the council to condemn Nestorius and John of Antioch. Even though we know from the *Life of Shenoute* that it was probably Cyril, along with Shenoute, who placed the Gospel-book on a chair in the middle of the assembly, the conciliar proceedings and the documents sent during and after the council do not reveal his direct involvement. They rather present this enthronement, along with the conciliar decisions, as an act undertaken by the whole council guided by Christ. In doing so, Cyril attempts to hide himself behind the collective identity of the group, so as to show that his participation in the council was limited to the role of the plaintiff and as such minimise the risk of invalidating the authority of the council's verdict.

Undoubtedly, aside from what the council claimed, it is clear that in a synod consisting solely of Cyril's supporters, it was truly he who influenced the other members and guided the decisions of the council. As such, the strategy of hiding behind the Gospel-book and the council can be taken as another example of Cyril's cunning.

Having these in mind, it becomes obvious why and how Cyril and the council not only attempt to secure their decisions legally, but to also propagate themselves as protectors of the Son of God and of the orthodox faith. By enthroning the Gospel-book as Jesus Christ in the midst of the assembly, they manifest that He is with them, guides them and favours them, and as such He gives validity to their decisions and authority to their theological interpretations of the Scripture.

Therefore, I feel that it is under this light that we should read the references to the enthronement of the Gospel-book that exist in the conciliar documents of the Acts of Ephesus, like for example the several reports to the Emperors. Instead of treating them in the way modern scholarship does, (i.e. as references to a practice already established and initiated by the first two ecumenical councils), we should approach them as efforts to explain an innovative practice and develop an argument around it that would eventually contribute to the achievement of the goals of the Cyrillian synod.

¹⁸⁴ Ch.2.5.iii.

Aside from the above, there are a few more things that need to be highlighted here, as they relate to the general context and authority of the councils at that time. The beginning of the fifth century is a period during which the idea of the ecumenical councils as authoritative bodies in matters of faith is gradually developed. At the time of Ephesus (431), aside from an adherence to the Nicene Creed, there are no clear requirements that a council needs to fulfil in order to be considered as authoritative in matters of faith. Even this adherence to the faith of Nicaea becomes problematic when many councils contradict each other to the point that the criticism on their usefulness in problem-solving remains constantly present. What is also gradually developing in this time is the hierarchical structure of the Church. But this also faces constant challenges, as shown by the need of Chalcedon (451) to take major decisions on it.¹⁸⁵ Consequently, it is not improbable that what Cyril attempts to do is also to establish the authority of his council over any other contemporary council by enthroning the Gospel-book as Jesus Christ. The Son of God leads the Cyrillian synod and as such its decisions should be considered as supremely authoritative in matters of faith and the secular implications they carry.

At that time, the fluidity regarding the authority of each council makes even more improbable the alleged continuity of an enthronement practice starting from Nicaea, passed to Constantinople, and then to Ephesus. As I said earlier, it took approximately six decades for the authority of Nicaea to be established, and its Creed to prevail as the perfect articulation of the orthodox faith, through the Edict of Thessalonica in 380 and Constantinople I in 381. By that time, we cannot safely assume that there were surviving any detailed accounts of the enthronement of the book in Nicaea.

Almost the same amount of time had to pass between Constantinople and Ephesus, and again we are not confident that any proceedings from Constantinople survived. Even if there were, this may have not affected the practice at Ephesus at all, precisely because the authority of Constantinople I had not yet been established in 431, unlike the authority of Nicaea, which was now already a century ago. This is evident by the fact that in the Acts of Ephesus frequently refer to the "faith of the 318 Fathers assembled at Nicaea" and inform us that the Nicene Creed was read out during the first session of Ephesus

¹⁸⁵ *ACCh*.1:4-56; Caner, 2002:223-241.

(E431, s.1, CV §43). At the same time we have no reference to the Nicene-Constantinopolitan creed, which is first mentioned and quoted only in Chalcedon and its Acts (CHA. s.3, §14).¹⁸⁶ For Benga this affirms that the Nicene-Constantinopolitan creed had not yet been fully accepted as supremely authoritative by the time of Ephesus (431).¹⁸⁷ After all, as Price and Gaddis rightly remark: "Constantinople itself was not formally commemorated as the 'second ecumenical council' until 451" and that it was only "at Chalcedon [that] the '150 fathers' of Constantinople would be acclaimed alongside the '318 fathers' of Nicaea".¹⁸⁸

These should be kept in mind in any claims that Ephesus was continuing a custom of enthroning the Gospel-book that could have been established in the first two ecumenical councils. If the theological definitions of Constantinople were not seen as authoritative by Ephesus, how can we claim that Ephesus was interested in picking up a custom from Constantinople I and continuing it? Ephesus' emphasis clearly falls on Nicaea and its creed, and by that time more than a century had already passed (325-431), which again makes it extremely questionable whether the bishops in Ephesus had a clear knowledge of the practical details of Nicaea, especially in the absence of any detailed proceedings from the council.

After all, even if we assume that the practice was initiated in Nicaea and that the bishops in Ephesus were somehow aware of it and felt that they were continuing this practice, we would expect to see this highlighted somewhere in the Acts of Ephesus. In Cyril's defence of his actions and the conciliar decisions, the Cyrillian side keeps emphasising how it defended the tradition, the truth and the faith of Nicaea. They see themselves as the genuine followers of their "ancestors", all belonging to the same body of Church that shares the same faith, adheres to the same truth, speaks in one mind and voice and has Jesus Christ as its head (E431, §CV 84.2). Nevertheless, nowhere in this defence do they emphasise, or even mention, that the act of placing the Gospel-book in the middle of the council to symbolise Jesus Christ as its head proves this historical and theological continuity. If it was an already established practice by the first two ecumenical councils, then Cyril would have very good reasons to state this clearly as

¹⁸⁶ For the Nicene and Nicene-Constantinopolitan creeds: *ACO* 1.1.2:12-13; 2.1.2:80; *ACCh*.2:12-13.

¹⁸⁷ Benga, 2015.

¹⁸⁸ *ACCh*.1:7. On the creed of Constantinople: *ACCh*.2:3-5. On the status of Constantinople: *ACCh*.3:67-73.

indisputable proof that they follow the tradition of the Fathers, in the same way that he claims that they follow the "faith of the Fathers"; but he does not.

It is precisely this theological and historical continuity between these councils that could be the reason why the Acts of Chalcedon highlight the presence of the Gospel-book in the midst of the assembly almost straight from the beginning by stating that "in the centre was placed the most holy and immaculate gospel-book" (CHA. s.1, §4).¹⁸⁹ The same cannot be said for the Acts of Ephesus, which refer to the presence of the Gospel-book only once, midway through the first session (E431, s.1, CV §51), and then again in the meeting of 26 June (CV §101). Yet they highlight its role and importance mainly in the verdict of the council (CV §61-62) and the reports after it (CV §81.4, §84.2, §118.18-19). This is fairly reasonable for an assembly that slowly realises the usefulness of Cyril's innovation and gradually builds its authority.

Even the Acts of Chalcedon reveal a small peculiarity with regard to the role of the Gospel-book in the councils after Ephesus and still-developing presence and authority of the Gospel-book.¹⁹⁰ As we will see in Chapter 5, when the clerics refer to the book, they always use adjectives that are also used for Jesus Christ and God. However, when the secular officials address it, their adjectives have a more "secular" character, as if they are not fully aware of the identification of the Gospel-book with Jesus Christ. This attests further to my argument that the enthronement of the Gospel-book and its identification with Jesus Christ are only now gradually established to the point that the secular world is not yet fully familiar with this practice.

To conclude, I hope that Chapter 1 has made evident why it is quite improbable to assume, no matter how widespread this assumption currently is, that the Gospel-book was enthroned in the first two ecumenical councils to signify Jesus Christ's presidency over them, and that Ephesus I was following this custom. It is more probable that Cyril initiated this practice in Ephesus I to serve his theological and legal agenda, and this custom was later passed to the ecclesiastical and secular sphere. Aside from the first-time enthronement of the book, the book's identification with Jesus Christ is gradually established too, as is the employment

¹⁸⁹ ACO 2.1.1:65; ACCh.1:129.

¹⁹⁰ Ch.4.

of the book in a conciliar context so that the witnesses testify truthfully before it. In the next chapters, I use the evidence from the Acts of Ephesus to support further my argument and reveal more aspects of the role and the authority of the book in the conciliar-judicial context of the fifth-century councils.

CHAPTER 2. THE GOSPEL-BOOK AS JESUS CHRIST, THE TRUE SUPREME JUDGE AND PRESIDENT

INTRODUCTION

In Chapter 1, I demonstrated the absence of evidence on the presence and use of the Gospel-book as Jesus Christ in the conciliar and secular sphere before Ephesus I. I questioned this identification as pre-existent of Ephesus and I challenged the currently established assumption that the enthronement of the book in the centre of the room was a custom initiated in the council of Nicaea that was taken up and followed by the subsequent councils.

On the contrary, I argued that the shift of emphasis from the authority of the book's content (i.e. Scriptures) to the book itself as an object is something initiated around the time of Ephesus. The same potentially applies to the identification of the Gospel-book with Jesus Christ, along with its enthronement and employment in the council of Ephesus, which is not only the first time that such a practice is attested, but could possibly be the first time it took place in general. In other words, to my understanding, it is very probable that the use of the book as an object placed in the councils and courts to signify God's presence, presidency and judgement, on one hand, and as an extractor of truth, on the other, may have been attempted for the first time by the Cyrillian synod in Ephesus.

By doing so, a custom was gradually established and the authority of the book as an object was gradually increased and bequeathed to the subsequent centuries, in parallel to the growing of Cyril's and Ephesus' status and authority in the memory of the generations that followed. This chapter establishes the identification of the Gospel-book with Jesus Christ in the council of Ephesus, and analyses the book's role and authority through its use in the conciliar procedure according to the argumentation of the Cyrillian side, which at the same time reveals further the possible reasons why Cyril employed the Gospel-book to achieve his goals.

The function of the book in Ephesus I can be summarized in the following three points, the first two of which will be addressed in Chapter 2 and the third in Chapter 3. In the *Acts of Ephesus* we find the Gospel-book:

- a) placed in the middle of the room to represent Jesus Christ, as the supreme president and judge of the council;

- b) employed as a spiritual guide and tool that helps the participants of the councils to reach and finalise a decision that is correct, just and pleasing to God;
- c) used as the best tool to extract truth from the witnesses, bind the speakers to the fullness and accuracy of their statements, occasionally with the employment of an oath.

As it will be analysed, these elements of the Gospel-book reveal its supreme spiritual and practical authority as an object. This authority is first attempted in Ephesus I by the Cyrillian side, and is later taken up by the generations that follow and applied in the religious and secular sphere.

2.1 AN INTRODUCTORY OVERVIEW OF THE AUTHORITY AND FUNCTION OF THE GOSPEL-BOOK AS JESUS CHRIST IN EPHESUS I ACCORDING TO BESA'S *LIFE OF SHENOUTE*

As I pointed out in Chapter 1, this source was written almost three decades after Ephesus I (c.460) and even though the event it narrates is most probably fictional, it still shows a solid knowledge of the conciliar procedure in Ephesus and hence can be treated as trustworthy, at least with regard to the role of the book. Especially given the possibility that the *Life of Shenoute* may have been influenced by the *Acts of Ephesus* that were published before it. In the *Acts* there are four main elements that attest to the authority of the book:

- a) the placement of the Gospel-book in the middle of the assembly;
- b) the identification of the Gospel-book with Jesus Christ, Son of God and victim of the heretics;
- c) the role of Jesus Christ through the book as victim, supreme judge and punisher in Ephesus;
- d) the employment of the Gospel-book as the most powerful medium to extract the truth in the conciliar procedure.

The first three of these elements are also witnessed in Besa's *Life of Shenoute*, which for this reason makes for an excellent introductory overview of the operation and the authority of the Gospel-book in the council of Ephesus.

i. The physical appearance of the Gospel-book and its placement in the middle of the council

According to Besa's *Life of Shenoute*,¹⁹¹ the Gospel-book consists of "the four holy Gospels". Straight from the beginning the author describes the book's placement on a "seat" "in the middle of the assembly", where everyone could see it and be influenced by its presence. This central space was of extreme importance in these councils and the placement of the book there was so important that Besa takes the time to highlight it to emphasise the role and the authority of the book, and thus serve the purpose of his narrative, that is Nestorius condemnation by Jesus Christ through the book.

As shown in the previous chapter, the *Acts of Ephesus* never state clearly whose idea it was to place the Gospel-book in the middle of the council. This enables Cyril to tone down his role in the council and hide himself behind the group identity by claiming that everything was decided by the council and Jesus Christ. As I will argue later,¹⁹² this is an effort by Cyril to pre-emptively defend the conciliar decisions against any protests about their validity due to the fact that he could not act as a president, judge and a prosecutor in the judicial-conciliar procedure. However, for the *Life of Shenoute* which was written at a period when these concerns had been resolved and Cyril's status as a Father had already been established, it is clear that it was Cyril who placed the Gospel-book there.

As a matter of fact, Cyril was assisted by Shenoute in doing this. Besa informs us that "Shenoute was also there together with the holy Cyril" and "when they went into the church to set out the seats and sit down, they set out in the middle of the assembly another seat and placed upon it the four holy Gospels". Besa's intentional involvement of Shenoute in this action serves a double purpose: on one hand, he attempts to raise Shenoute's status and authority by presenting him in accordance with Cyril, partakers in the same Alexandrian tradition that revered highly the Gospel-book and identified it as Jesus Christ. It serves also as a subtle hint that the laurels for this innovative – at least in a conciliar context – practice should be attributed to both, and as such raise further Shenoute's status in the eyes of his readers by sharing Cyril's limelight. At the same time, the narrative also establishes the book's authority since this symbolic move is performed by two of

¹⁹¹ Gaddis, 2005:252.

¹⁹² Ch.2.5.iii.

the most authoritative ecclesiastic leaders of Alexandria: the archbishop Cyril, head of the institutional Church, and the holy man Shenoute, head of the monastic community. This view on the authority of the Gospel-book is to be inherited by all those under them at the time and the generations that followed. On a parallel note, it should be noted here that Besa's account puts in doubt De Halleux's and Person's argument that the Gospel-book was enthroned as part of an opening ceremony.¹⁹³ In the *Life of Shenoute*, the whole incident is presented as something as simple as "setting out the seats", that is without the solemnity an opening ceremony would have.

ii. The identification of the Gospel-book with Jesus Christ, Son of God and victim of the heretics

Having highlighted the Gospel-book's importance and authority through its placement in the centre of the room, Besa moves from the physical reality of the book as an object to its spiritual dimension, that of representing Jesus Christ. The author does this transition, not by using his own words, but by putting these words in the mouth of the authoritative figure whose life he narrates in his hagiography, that is Apa Shenoute. It is the holy man –not Besa as the narrator– who emphasises the correlation of the Gospel-book and Jesus Christ, and more particularly the "Son of God" whose authority not even the "impious Nestorius" could ignore.

This is particularly important, if one takes into consideration why the first council of Ephesus was summoned. According to the opponents and critics of Nestorius, his refusal to call the Virgin Mary *Theotokos* (Birth Giver of God, or God-bearer) was a direct hit and profound denial of Christ's divinity. By placing the Gospel-book as Jesus Christ in the middle of the assembly and assigning to it the role of the supreme president and judge, Cyril wants to highlight that it is the Son of God Himself who judges and condemns Nestorius, and not Cyril as a president or any other mere human. The council itself is transformed from an ecclesiastic court to a divine court with God as its head. The "impious Nestorius" dared to attack and insult the "Son of God" himself with his doctrines, so it is now the same "Son of God" who will punish him through the book that will lead the council to a God-

¹⁹³ De Halleux, 1993:66⁸⁹; Person, 1978:189.

pleasing decision. In the words of Shenoute "it is he [Jesus Christ] who will now pronounce upon you [Nestorius] a swift judgment").

The symbolism of Nestorius attacking Jesus Christ, and in return being judged and condemned by Him, is expressed visually by the writer through the description of how Nestorius mistreats the Gospel-book. Nestorius is portrayed as entering the room, picking up the Gospel-book from the seat in the middle of the assembly and putting it on the ground so that he can sit on the chair. Once again, we have a transition from the physical reality of a cleric simply removing a book from a chair (that was made for humans to sit and not for books to be placed on) and putting it on the ground so that he can sit on it, to the metaphysical and spiritual reality where the "impious Nestorius" usurps the seat of the "Son of God" himself. It is not difficult for the reader to make the parallelism of Nestorius with Lucifer, who was the first and last one to try to usurp the throne of God. Lucifer's judgement, condemnation and punishment were immediately followed by his Fall and expulsion from Heaven. Identical will be the judgement, condemnation and punishment of Nestorius for his "sacrilegious" act. Justice will be delivered by the Son of God through the Gospel-book. In the eyes of the author and the people of Alexandria, the mistreatment of the Gospel-book equalled to a mistreatment of Jesus Christ and to the gravest sin against God that only Satan dared to commit.

This innovative employment of the Gospel-book by Cyril is even more remarkable, because it is the best way to manifest physically the core of his theological dispute with Nestorius. As I argued in the previous chapter,¹⁹⁴ for Cyril Nestorius was attacking directly Jesus Christ and he was "dragging him down from the divine throne" (*Epist. I, Letter to the Monks of Egypt* §7).¹⁹⁵ Cyril develops this argument in his works around the council.¹⁹⁶ For Cyril and Besa, the word of God (Gospel-book) serves not only as the best physical manifestation of the Word of God (Jesus Christ), but it is also the most adequate tool to materialise Cyril's theology and manifest Nestorius' attack on Christ through the mistreatment of the book.

Meanwhile, there is another purpose that this fictional narrative could serve and that further attests to the possibility of this employment of the book being Cyril's

¹⁹⁴ Ch.1 conclusion.

¹⁹⁵ ACO 1.1.1:13; PG 77:17-18,§5, transl. McGuckin, 1994:248-249.

¹⁹⁶ *Letter to the Monks of Egypt* §7, §16; *Second Letter of Cyril to Nestorius* §6; *Third Letter of Cyril to Nestorius* §3; *Homily given at Ephesus on St. John's day. In the Church of St. John; Scholia on the Incarnation of the Only Begotten* §12, §14, §15, §35.

innovation. By presenting Nestorius as unaware of the identification of the Gospel-book as Jesus Christ, Besa not only portrays Nestorius' theology as anti-Christian (against Christ), but attempts to degrade the value of his theological school (Antioch) and diocese (Constantinople). They are subtly presented as *a-Christian* (without Christ) for the fact that they do not identify the Gospel-book with Jesus Christ and they do not revere it as such. Both the School of Antioch with its Christology and its patriarchate, and the episcopacy of Constantinople whose ambitions were continuously rising, (as shown by its recognition of primacy of honour after the bishop of Rome in Constantinople I), were competing with the Patriarchate of Alexandria in a race of authority and status. It is probably no coincidence that the *Life of Shenoute* is written around 460,¹⁹⁷ that is shortly after the status of the see of Constantinople was elevated in the status of Patriarchate (Council of Chalcedon in 451), and it became is equal in status and higher in honour than the see of Alexandria.

So it is possible that Besa uses also this story to indirectly degrade the theological importance of Alexandria's rivals and Nestorius' origins, that is the see of Antioch and the see of Constantinople. As argued earlier,¹⁹⁸ he does this by showing that the now-established (by the time *Life of Shenoute* was written) practice of identifying the Gospel-book as Jesus Christ and enthroning it in the centre of the councils was of Alexandrian, and more specifically Cyrillian, origin. This would elevate the status, authority and theological importance of Alexandria in the eyes of the hagiography's readers. And even though we may nowadays be aware that the story is fictional, its target audience most probably was not. As such, any details presented in the story could be taken by the readers at face value and shape their views on the status and the authority of the people and the sees involved.

iii. Jesus Christ through the Gospel-book as supreme judge and punisher

In the previous paragraphs of this section, I have shown how the Gospel-book is placed in the middle of the assembly to symbolise Jesus Christ's presence in the council. However, the role of the Gospel-book is not that of a mere symbol, in the sense of a passive, inanimate object that simply points to a transcendent person

¹⁹⁷ Horbury, 2003:196.

¹⁹⁸ Ch.1.2.ii, 2.1.ii.

or reality. In the context of Ephesus, the Gospel-book has a much more active role: it is indeed Jesus Christ, and through it the Son of God reveals his will and delivers his justice.

As such, the physical and the spiritual consequences for disrespecting the Gospel-book and Jesus Christ are immediate. After seeing Nestorius taking down the book from its throne and leaving it on the floor, Shenoute immediately picks it up and physically strikes "the impious Nestorius in the chest". He sees himself as defending the book and Christ in this way and justifies his violent act as delivering justice to the criminal/heretic. In Shenoute's own words, he himself is "whom God wished to come here in order to rebuke you [Nestorius] for your iniquities and reveal the errors of your impiety in scorning the sufferings of the only-begotten Son of God". This extract attests to how any actions against the Gospel-book equalled to actions against God himself, and also indicates how the holy men and the clerics viewed themselves as organs of God who had the right to deliver justice, pronounce sentences and apply them in His name.¹⁹⁹

But Jesus Christ does not rely only upon humans to serve his will and deliver justice. He himself intervenes and punishes the 'heretic'. Shenoute clearly states this by saying that it is the Son of God "he who will now pronounce upon you [Nestorius] a swift judgment". Immediately God delivers justice for the mistreatment of the Gospel-book by punishing Nestorius physically and spiritually: "at that very moment Nestorius fell off his chair onto the ground, and in the midst of the synod of our fathers, he was possessed by the devil". Nestorius, who dared to attempt to usurp the presidential seat of the Gospel-book in the council is rapidly and forcefully punished by the supreme president and judge of Ephesus, that is Jesus Christ. Nestorius falls on the ground and gets possessed by the devil himself, the first one to challenge God's authority by trying to usurp His throne. Lucifer and Nestorius share the same fate and the same punishment for the same crime here: Lucifer tried to usurp the throne of God, which led him to turn into Satan and fall from Heaven; Nestorius tried to usurp the presidential seat of the Gospel-book/Jesus Christ, which also resulted to him to falling on the ground and be possessed by the devil. This punishment highlights the link between Nestorius and Satan, and declares Nestorius' expulsion from Heaven and the grace of God, since

¹⁹⁹ Gaddis, 2005. On holy violence being justified as divine punishment: Moreiro, 2006:147-156. On violence in late antiquity: Drake, 2006.

it is impossible for someone who bears Satan (as possessed) to bear God at the same time.

Suddenly, the victimised Christ, and yet loving, compassionate, forgiving, patient, healing, life-giving, serving and fragile Jesus of the Gospels is absent.²⁰⁰ This image is replaced by the almighty Son of God, through the Gospel-book, who is ready to serve justice and punish anyone who offends him. It is the image of a relentless God of Justice, the Christ of the Last Judgement and the Nicene Creed of the 318 Fathers; the image of the "one Lord Jesus Christ the Son of God, begotten from the Father as only-begotten, that is, from the substance of the Father, God from God, light from light, true God from true God", who "ascended into heaven" and who "shall come to judge the living and the dead" (Nicene Creed, 325; E431, s.1, CV §43).²⁰¹ It is the image of the "Son of Man" of Matthew, who "is to come with his angels in the glory of his Father" and who repays "everyone for what has been done" (John 3:13; Matthew 16:27).²⁰² This is the image of Jesus Christ in the context of Ephesus and the role of the Gospel-book is to manifest this image, of the Son of God as supreme judge and president. This treatment and authority of the book is gradually established in Ephesus and later passed on to the generations, councils²⁰³ and courts that followed to this day. Besa's account of the events in Ephesus may be fictional, but his understanding of the authority and role of the book as president, judge and punisher, and occasionally as a prosecutor, defender and a victim, is not. The same understanding of Christ and the Gospel-book will be shown below in my analysis of the *Acts of Ephesus*.

²⁰⁰ A "fragile" Jesus can only be seen through his role as a "victim" in these councils; because obviously no human can insult or attack the almighty Son of God. For an attack or an insult to take place, a more sensitive and "susceptible" figure should be used, and it is only in this aspect that we can see something of the more human, earthly and weak Christ that emerges from the narratives of the Gospels. But then again, this seems again to be more of a rhetorical construction employed by the opponents of Nestorius (mainly Cyril and Shenoute) in order to create an even greater impression on the gravity of the sin of Nestorius to attack Jesus Christ. And the reason I say that this image is merely a mechanism in the hands of the anti-Nestorian side is because immediately after they set the ground of the "evil" Nestorius attacking the "weak" Christ, they replace this "fragile" and "sensitive" image with the image of the all-powerful Son of God who is willing to judge and condemn his blasphemous attacker.

²⁰¹ ACO 1.1.2:12-13.

²⁰² Ch.3.2.i.

²⁰³ Home Synod of Constantinople (448), Synod of Constantinople (449), Council of Chalcedon (451), Constantinople II (553) and Constantinople III (680-681).

THE ACTS OF EPHESUS

In the *Acts of Ephesus* there are four documents that acknowledge the presence and presidency of Jesus Christ over the council, three of which clearly refer to the employment of the Gospel-book as the means to manifest this presence. These documents are the *Verdict Pronounced on Nestorius Deposing him*,²⁰⁴ issued during the first session of Ephesus I; a *Report of the Council to the Emperors on the Deposition of Nestorius*²⁰⁵ sent right after the first session along with its minutes but intercepted by Count Candidian before its delivery to the Emperor; another *Report of the Council sent via Palladius Magister to the Emperors*²⁰⁶ also written and sent after the first session, only that this time it was delivered successfully; and finally, Cyril's *Apology to the Emperor Theodosius II*²⁰⁷ sent towards the end of 431, in which Cyril attempts to justify his actions in the council and provides us with further details on the role of the Gospel-book. These four documents are extremely significant because they reveal the spiritual and practical authority the Gospel-book had according to the Cyrillian side. Like in Besa's *Life of Shenoute*, the book is placed in the middle of the assembly, it is identified as Jesus Christ and acts as the supreme president and judge in Ephesus, who condemns the heretics, establishes the orthodoxy and influences the council's participants in order to reach a God-pleasing decision. This view of the book is inherited to the generations after Ephesus.

²⁰⁴ E431, s.1, CV §61-62, ACO 1.1.2:54-64.

²⁰⁵ E431, CV §81, ACO 1.1.3:3-5; CC §30, ACO 1.3:85-87.

²⁰⁶ E431, CV §84, ACO 1.1.3:10-13.

²⁰⁷ E431, CV §118, ACO 1.1.3:75-90.

2.2 THE GOSPEL-BOOK AS JESUS CHRIST IN THE CENTRE OF THE ASSEMBLY

At the end of its first session (22nd June 431), the Cyrillian synod sent the minutes to the Emperors Theodosius and Valentinian with a report to inform them on the synod's decision (CV §81).²⁰⁸ These documents never reached the Emperor, because Candidian managed to intercept them, according to Cyril's complaint,²⁰⁹ and the fact that Theodosius II seems unaware of them in his response to the council on 29 June.²¹⁰

The report is extremely important because it is the earliest source clearly identifying the Gospel-book with Jesus Christ in a conciliar or extra-conciliar setting.²¹¹ There are only two other documents of equal value: a) a second report sent by the Cyrillians to the Emperors (CV §84) sent a few days after the first (1st July 431);²¹² and b) Cyril's apology to Theodosius II that was sent a few months after the council (CV §118).²¹³ All three documents were produced by Cyril and those around him, a fact that adds extra weight to their significance, since they can be taken as representative of his views on the role and authority of the Gospel-book, especially in the light of my argument on Cyril's innovative introduction of the Gospel-book in the council.

With regard to the content of this first report, it states that the council assembled "by the grace of Christ and the bidding" of the Emperors according to which the "true faith", as "received ... from [their] forebears", should be protected.²¹⁴ This would happen through an "investigation of piety and the faith" to which the bishops

²⁰⁸ *Report of the Council to the Emperors on the Deposition of Nestorius*, CV §81, ACO 1.1.3:3-5.

²⁰⁹ CV §84.4, ACO 1.1.3:11.

²¹⁰ *Copy of the Imperial Letter sent to the Holy Council at Ephesus via the Magistrianus Palladius*, CV §83, ACO 1.1.3:9-10.

²¹¹ There are two more sources highlighting this identification: Besa's *Life of Shenoute* and Isidore's *Epistle to Hermino Comiti*, with the former being significantly later than Ephesus I (c.460) and the latter being undated, as explained in Chapter 1.

²¹² *Copy of the Report of the Holy Council sent via the Magistrianus Palladius*, CV §84, ACO 1.1.3:11.

²¹³ *Apology to the Emperor Theodosius II*, CV §118, ACO 1.1.3:83-84.

²¹⁴ Here Theodosius II displays the same understanding of the role and operation of these councils, as his predecessor Constantine, who also summoned the councils of Nicaea (325) and Tyre (335) to examine the truth and defend it. Runciman, 1977:17-19; Baynes, 1929:21; 1955:102; Jones, 1948:172; Bell, 1924:45-71. For the role of the councils and the Gospel-book as a means to achieve reconciliation and preserve the unity of the Empire: Ch.6.2.vi.

should partake, but without Nestorius who rejected their summonses (E431, CV §81.1-3).²¹⁵ These are all significant for a number of reasons.

Firstly, because they reveal the purpose of the council, which is the establishment of the “true faith” through investigation and the adherence to the faith of their ancestors; secondly, because they show how the council considered as truth the doctrines that were delivered through tradition; and thirdly, because the clerics express the confidence that what they did was “by the grace of Christ”, whom they use as their point of reference. Above all though, this report includes important elements that are interrelated and that have as their spine the idea of truth: the purpose of the council was to find the truth in matters of faith, having as their guide and reference Christ who is the Truth. To do so, they employed the object which contains the truth (i.e. the word of God), that is the Gospel-book. They enthrone it in the middle of their assembly to manifest Christ’s presence among them, and they employ it to seek and establish the truth in matters of faith and in the testimonies of the witnesses, as we will later see.²¹⁶ In the words of the report:

“Assembling on the following day in the holy and great church called Mary, with the holy gospel-book set before [us] on the midmost throne to indicate that Christ himself was present with us” (E431, CV §81.4)²¹⁷

The Cyrillian synod informs also the Emperors that they had no other choice than to open the council, given the bishops’ physical hardships due to their old age and the long trip, as well as their growing impatience for John’s delay and Nestorius’ refusal to attend. Even though they could condemn Nestorius for ignoring their three summonses, they preferred not to do it and rather investigate his doctrines through his writings. The synod compared the faith of the fathers, as exposed in the Nicene creed, with Cyril’s teachings and they found them in harmony (E431, CV §81.5). Then they compared Nestorius’ letters with the above and found them in opposition (E431, CV §81.6),²¹⁸ so they issued the verdict of his deposition. In

²¹⁵ ACO 1.1.3:3-4. Cf. *Imperial Letter of Convocation*, CV §25, ACO 1.1.1:114-116.

²¹⁶ Ch.3.

²¹⁷ ACO 1.1.3:4.

²¹⁸ According to Graumann, this is an example of the flexibility in which the council applied the judicial procedure of the secular courts in order to serve the doctrinal debate. More specifically, instead of first reading out the Nicene Creed, then compare Nestorius’ views to it, and finally Cyril’s reply to Nestorius, the order here is reversed. Immediately after the reading of the Creed, Cyril’s interpretation of the Creed is read out, and Nestorius’ decrees

the end, they request that the Emperors enforce the conciliar decisions, so that “the apostolic faith will remain intact” and will be “confirmed by [the Emperors’] piety ... through which Christ is glorified ... and the grace of God made known to all mankind” (E431, CV §81.7).²¹⁹ This again shows the relationship between the purpose of the council (i.e. protection of the apostolic faith, glorification of Christ, communication of the grace of God to the world etc.), the council’s point of reference (Jesus Christ), and the means to achieve it (i.e. confirmation and enforcement by the Emperors).

Aside from these aspects, though, that will be further analysed later, I would like to examine the position of the Gospel-book in the room as evidence of its authority, as well as my argument on Cyril’s innovation.

i. The position of the Gospel-book in Ephesus I as evidence of its authority; its “enthronement” and the question about the “throne”

The report informs the Emperors that the book was placed on the “midmost throne” (“ἐν τῷ μεσαιτάτῳ θρόνῳ”) of the church of St Mary. There are two important elements here in relation to the authority of the book: the noun “throne” (“θρόνῳ”) and the superlative adjective “midmost” (“μεσαιτάτῳ”).

As argued earlier, modern scholarship completely overlooks the authority of the Gospel-book in the ecumenical councils, and the scholars that briefly refer to the book focus on other aspects around it, as for example the “throne” on which it was placed. However, as I will show below, the Gospel-book’s importance and authority in Ephesus are attested by its placement in the centre of the assembly, and not by its placement on a “throne”.

are read last. This effectively created a prejudiced atmosphere where the council compared Nestorius’ views not against the Creed, but against its Cyrillian interpretation. Graumann, 2007:110-111.

²¹⁹ ACO 1.1.3:4-5.

THE QUESTION ABOUT THE THRONE

According to De Maio the throne was a symbol of “*divine majesty or authority*” shared between many pre-Christian, Christian and non-Christian people of the Antiquity. Those sitting on a throne were seen as legitimate holders of significant authority.²²⁰ As such, for De Maio, the significance of the Gospel-book is revealed by its placement on a specifically designed “throne” in the council. In this sense, it is the throne that gives significance to the Gospel-book.

The excellent scholar may be correct in his treatment of the “thrones” as symbols of authority in the ancient world. However, to my understanding, the relationship here is the complete opposite: in these councils it is the Gospel-book as Jesus Christ in the centre of the room that is invested with authority, and not any throne; and particularly in the case of Ephesus, it is very probable that no such throne existed. Contrary to what De Maio argues, the “throne” (“θρόνῳ”) in Ephesus should not be taken at face value, that is as a seat of a special appearance used specifically for the enthronement of the Gospels. There is no authority of a throne from which the Gospel-book would draw upon. On the contrary, it is the authority of the Gospel-book that gives significance to the “throne” as an object and not vice versa.

At the opposite side of De Maio’s claims, Chrysos argues that the throne on which the Gospel-book laid was the “highest” throne, the one reserved for the president of the council, which in this case should be Candidian. When Candidian was forced to leave the council, Cyril placed the book on this empty throne.²²¹ This is refuted by de Halleux, who remarks that Cyril’s report does not refer to the “highest” throne of the president, but to the most central throne.²²² After all, Cyril in his apology to the Emperor refers to the same throne as a “holy throne” (“ἐν ἁγίῳ θρόνῳ”).²²³ This makes it unlikely the throne was that of a secular official given that the adjective “holy” was not used for anyone with secular authority, but only for those invested with purely ecclesiastical and religious authority.²²⁴ De Halleux goes one step further and uses the archaeological evidence of the church of St

²²⁰ De Maio, 1963:21²; Chapot, *DAGR*.5:278; Piganiol, 1923:139-140; Alföldi, 1934:60; 1935:125-126, 135-139.

²²¹ Chrysos, 1983:36; De Halleux, 1993:66⁸³.

²²² De Halleux, 1993:66.

²²³ *Apology to the Emperor Theodosius II*, CV §118.18, *ACO* 1.1.3:83-84.

²²⁴ Ch.5.

Mary to identify this "midmost throne" as the altar which was also positioned in the middle of the church.²²⁵

Nevertheless, in my opinion, even though these excellent and respectable scholars have got most parts of their analysis of the physical setting of the Gospel-book right, they still err on some points. To be closely faithful to sources, we have to admit that there is no clear evidence that the Gospel-book was placed on a throne specifically designed and destined for it, as De Maio presumes; nor that this throne was the presidential "highest" throne, as Chrysos claims; nor that this "midmost throne" was actually the altar, as de Halleux argues; nor do we have any evidence that this "enthronement" was a standardised practice, as Person and de Halleux presume.²²⁶

In my opinion, such a throne for the Gospel-book did not exist in Ephesus, because as I argued earlier the custom of the "enthronement" was Cyril's innovation and as such there was no provision for the construction of said throne, and also for the reasons that I will explain below.

Although the noun "throne" ("θρόνος") was indeed used in antiquity to signify the supreme authority of a figure with secular (e.g. Emperor) or religious authority (e.g. bishop in the case of "cathedra"²²⁷ and the "syn-throno"²²⁸, the same word was used to signify the chairs of figures with less authority, like teachers, priests and others.²²⁹ So the noun by itself does not signify the highest authority, nor does it commune this authority to other objects related to it, like for example the Gospel-book.

²²⁵ De Halleux, 1993:66⁸⁷. Cf. the plan in *FiE*.4.1, 1932:28-29.

²²⁶ De Halleux, 1993:66⁸⁹; Person, 1978:189. On the absence of a "standard" conciliar procedure according to which the Church councils were held: Graumann, 2007:103.

²²⁷ The cathedras, usually constructed by marble and sometimes by wood (esp. in Africa), already existed since the first centuries of the Church. So by the time of Ephesus they were fairly common. Tertullian, 36:
http://www.tertullian.org/latin/de_praescriptione_haereticorum.htm, accessed 08/06/2013; Hassett, "Cathedra", *CE*.3: <http://www.newadvent.org/cathen/03437a.htm>, accessed 08/06/2013.

²²⁸ The "synthronon" was a semi-circular structure that starts to appear during the fifth century. It consisted of the episcopal throne (cathedra), usually placed in the apse behind the altar, with several seats positioned on its right and left. Lower ranked clerics (priests, bishops) were seated on these seats around the highest ranked cleric (bishop, archbishop). "Synthronon", *ODB*yz, 1991.

²²⁹ "Θρόνος", *PGL*, 1961:655; *GLRB*, 1900:586; *GEL*, 1968:807.

DE MAIO'S THRONE – THE *ETOIMASIA*

Regarding De Maio's use of visual evidence, like inscriptions and mosaics,²³⁰ to support his argument on the existence of the practice before Ephesus, he seems to confound the *artistic representation* of an abstract idea, like the divine throne (*etoimasia*), with the *actual physical placement* of the book on a chair in the council to indicate Christ's presence. He seems to assume that the divine throne and the Gospel-book were always interrelated, even before Ephesus I, a period from which we have indeed sources referring to the *etoimasia*.²³¹ In reality though, we do not have any actual evidence on a custom of enthroning the Gospel-book, as I have already argued.

De Maio's assumption is not correct, because when examined more carefully, the sources he uses are representations of the divine throne alone, without any reference to the Gospel-book. The latter is not depicted on a throne in any of the sources before Ephesus. Even in the mosaics of Santa Maria Maggiore that De Maio invokes, the Gospel-book codex is nowhere to be seen. Even though modern scholarship is not completely unanimous on the dating of the temple and the mosaics, to my understanding, they are a response to the outcome of Ephesus and its Christological and Mariological decisions.²³² The name of the basilica further attests to this. On the mosaic of the Triumphal Arch we can see the divine throne, but there is no Gospel-book codex on it. In its place, there is Jesus Christ's Cross. The reason may be an unawareness in the West of the practice of the enthronement of the Gospel-book, despite the fact that the West also had a theology of Christ being present among clerics.²³³ This theory could be further supported, if the arch was decorated before the Pope got the proceedings of

²³⁰ As for example, an inscription in the apse of the church of San Crisogono who refers vaguely to the "insignia Christi" sitting high "in Trono" or the depiction of the divine throne in the central medallion of Santa Maria Maggiore. De Maio, 1963:9,39. Further on the topic and the dating of the evidence, but also similar to De Maio's views: Join-Lambert, 2006:345-365; De Rossi, 1888:152; Marucchi, 1911:6-7; Mesnard, 1935:60; Künzle, 1961-1962:153-190; 1961:1-167; De Bruyne, 1936:239-269; Schuchert, 1936; Cormack, 2001:894-902. Specifically on the *etoimasia*: Durant, 1857:380-413; 1867; De Rossi, 1878:125-140; *DACL*.5.1:671-673; Künzle, 1928:559-560; Van Der Meer, 1938:231-245; Nordstrom, 1953:46-54.

²³¹ De Maio, 1963:9.

²³² De Maio, 1963:9. For the identification of mosaic as Ephesus I and linking of the building of Santa Maria Maggiore as a consequence to Ephesus I: Miles, 1999:68-70. Against the mosaic as a direct consequence of Ephesus I: Spain, 1979:534⁶⁹. But Miles correctly rebuts her in Miles, 1993:160¹⁵ and 1999:68¹⁵. Krautheimer, 1980:46; "Rome: Santa Maria Maggiore", *EBO*, <http://www.britannica.com/place/Rome#ref387691>, accessed 08/06/2013.

²³³ CV §106.12; Ch.1.2.iii, Ch.3.1.1, Ch.6.2.

Ephesus in his hands, and most importantly before the enthronement practice was established. After all, the status of Ephesus itself took time to be established, and in Celestine's view, it was his and not the council's decisions and practices that had the final authority on the doctrinal matters discussed. Finally, we should also keep in mind that it is very probable that the papal representatives in Ephesus, who could inform Celestine on this practice, may have also not been aware of the enthronement of the book, as it took place in the Cyrillian sessions (22 and 26 June), before their arrival (c.10 July). We have no evidence that the Gospel-book was used in the other sessions of Ephesus.²³⁴

In any case, it becomes clear that at the time of Ephesus, the divine throne and the Gospel-book are not necessarily interrelated, and they can exist separately, especially in light of my argument that the enthronement of the Gospel-book in the councils was not an established practice. Furthermore, even though this practice was gradually established in the councils that followed Ephesus (e.g. the Home Synod in 448, the Synod of Constantinople in 449, and Chalcedon in 451), it is still extremely unlikely that there was a specifically designed throne to escort the Gospel-book in every council.

If the luxurious, bejewelled throne of the mosaics existed as an actual object in Ephesus –like De Maio assumes– instead of simply as a *figurative* idea, as I claim, this throne would be considerably impractical. If it was invaluable, it would have to be guarded at all times. If it was unique, it would have to be transferred from council to council, usually miles away from each other. There would also be endless disputes on which council would get the throne and the Gospel-book, along with their authority/validation, and this would be highly problematic, because many councils were held at the same time, and also due to the different factions claiming orthodoxy that would also claim the throne with the book. If such claims existed over the throne and the Gospel-book codex, we would at least expect some resources to mention them, but that is not the case.

An alternative approach to validate De Maio's argument would be to assume that this luxurious throne was permanently positioned in Ephesus and not transferred in the subsequent councils in which the Gospel-book was "enthroned". The "throne" would remain in Ephesus and the Gospel-book would be transferred to Constantinople and Chalcedon for the subsequent councils. However, in this assumption we would have to detach the use of the Gospel-book to that of the

²³⁴ E431, s.1, CV §51; CV §101. Ch.1.2.iii and Ch.3.2.ii.

throne and thus acknowledge that the two objects could be employed independently. But even this scenario would go against De Maio's analysis that treats the two objects as if inseparable.

The only available alternative to support De Maio's joint treatment of the two objects would be if many of them existed in pairs, that is multiple bejewelled thrones in the biggest church of every major city with a Gospel-book lying on each one of them. Such a possibility, however, is not only even more impractical due to its cost, but it is also neither attested in the sources available, nor is supported by the archaeological evidence.

In the end, we are left with only one possibility, which accords with my analysis on Cyril's innovation: by the time of Ephesus there was no specific "throne" on which the Gospel-book was enthroned, and even this custom of enthroning the Gospel-book that De Maio takes for granted was not yet established. Instead, there were multiple Gospel-book codices in several churches serving the needs of each assembly. In Ephesus, Cyril took one of these "plain" codices and placed it on a "plain" chair, like the ones on which the bishops were sitting. This scenario is actually the same narrative that Besa's *Life of Shenoute* delivers.

To conclude, we should not assume that in Ephesus and the subsequent councils up to Chalcedon there was a specially designed "throne" on which the Gospel-book was placed. The bejewelled divine throne (*etoimasia*) of De Maio's analysis was simply an artistic representation of a figurative notion like the "throne of God" and not a physical object that was in any way related to the Gospel-book. Nor was there a custom of enthroning the book in the councils of the time. The "midmost throne" of Cyril's reports is probably just a plain, wooden chair that existed in every church of the time.

Accidentally De Maio falls into the trap of an anachronism: he combines the fourth-century representations of the bejewelled and figurative divine throne (*etoimasia*), and the substantially later depictions of the throne of the Gospel-book of the ninth and nineteenth-century councils (Constantinople III and Vatican I and II)²³⁵ to assume that sources referring to the *etoimasia* describe a literal reality of a throne on which the Gospel-book was placed in the (contemporary to the *etoimasia*)

²³⁵ De Maio, 1963:13,16.

councils of Nicaea and Constantinople.²³⁶ However, as I said, the sources, when carefully examined, do not support this assumption and there was no such “throne” used in the first four ecumenical councils. Nor should the fourth-century evidence on the *etoimasia* be used to presume that the Gospel-book was “enthroned” and used in the middle of the first two ecumenical councils, as De Maio seemingly does.

As such, the “throne” on which the Gospel-book was placed in Ephesus did not have any special external appearance, nor any particular authority that would commune to the Gospel-book lying on it. Undoubtedly, the episcopal thrones were indeed objects vested with authority when the bishops were seated on them,²³⁷ but this does not necessarily mean that in Ephesus I there was a “throne” specifically destined to hold the Gospel-book.²³⁸ In my opinion, De Maio treats the noun “throne” in its very literal sense, which as I said is not supported by the evidence.

DE HALLEUX’S THRONE – THE ALTAR

On the other end of the spectrum, De Halleux understands the noun “throne” in its figurative and theological meaning as the “throne” of God, which he identifies as the altar. This approach could be more plausible than De Maio’s, but would differ significantly from Besa’s narrative, which to my understanding is trustworthy in regard to the physical setting of the council, despite its other fictional characteristics. To the same direction, and against De Halleux’s claims, points also the other Cyrillian source that refers to the physical setting of the council.

Cyril, in his apology to Theodosius II attests that “set on holy throne was the venerable Gospel-book” (“εκείτο γὰρ ἐν ἁγίῳ θρόνῳ τὸ σεπτὸν εὐαγγέλιον”)

²³⁶ In the words of De Maio: “*Iconographical tradition makes it legitimate to assume that the Gospels enthroned appeared at the first two, anti-Arian, Councils, or at least at the second*”. De Maio, 1963:9.

²³⁷ Because even in this case, it is the bishops that are vested with the authority and that “transfer” it to the thrones on which they are seated, and not vice versa. This is evident if one takes into consideration the fact that the bishops bore their authority regardless of where they were seated, and also that if a layman or a lower-ranked cleric or monk sat on an episcopal throne, he did not in any way assume the authority of the bishops on the basis of sitting on his throne.

²³⁸ De Maio, 1963:10,40¹⁰.

(E431, CV §118.18).²³⁹ This is an accurate and word by word translation of the original text that makes it clear that our source speaks about “[a] holy throne” (“ἐν ἁγίῳ θρόνῳ”) and not “the holy throne” (“ἐν τῷ ἁγίῳ θρόνῳ”), which could hypothetically indicate the altar, as De Halleux argues, or a specifically designed “throne” to host the Gospel-book, according to De Maio. In the original text the definite article “the” is missing, which makes it unlikely to refer to one specific throne.²⁴⁰ The sentence is more accurately translated by the more general and indefinite article “a”, or even better by completely omitting it and understanding it as on a “holy throne” that could be alike any other throne or chair occupied by a bearer of a “holy” authority (like the bishops).

Another possibility is that this characterization of the chair as “holy” could simply be an allusion and allegorical reference to the divine throne of God, or else the De Maio’s *etoimasia*, and not an actual reference to the object physically present there.

In any case, we have no reason to believe that the book was placed on the altar or on a special throne, rather than on a simple, wooden chair. This setting, as I said, is also attested by Besa’s *Life of Shenoute* according to which Cyril and Shenoute went into the church of St. Mary to “to set out the seats and sit down” and in doing so, they “set out in the middle of the assembly another seat” on which they placed the Gospel-book (Besa, *Life of Shenoute* 128-130).²⁴¹ Regardless of the questionable credibility of some aspects of Besa’s story, it is unlikely that he would fabricate the physical setting, and present the Gospel-book on a chair (that Nestorius tried to usurp), if the common practice was to place it on the altar (or a bejewelled throne). If that was the case, it would be extremely unreasonable, and hence unbelievable to his readers, to present Nestorius as trying to sit on the altar

²³⁹ *Apology to the Emperor Theodosius II*, CV §118.18-19, ACO 1.1.3:83-84; PG 76:453-488.

²⁴⁰ Cyril’s apology does not survive in E.Schwartz’s Latin version of the Acts, so it is difficult to crosscheck the accuracy of the Greek text there. However, there is a Latin version of this letter that survives in J.P.Migne’s *Patrologia Graeca* 76:471-472 and the text there could possibly confirm my hypothesis, since the wording is precisely the same, omitting the definite article: “venerandum enim Evangelium in sancto throno collocatus erat, illud tantum non sanctorum sacerdotum auribus insonans”. However, this is extremely difficult to say with great certainty, given that Latin tends to omit the definite and indefinite articles. Bright Hub Education, *Understanding Latin Definite and Indefinite Articles*, 2015, Available at: <http://www.brighthubeducation.com/learning-translating-latin/20963-overview-of-latin-definite-and-indefinite-articles/>, accessed 08/06/2013.

²⁴¹ Gaddis, 2005:252.

or on the *etoimasía*. After all, we know that Shenoute himself indeed took part in the council and, as Richard Price affirms, the Coptic *Acts of Ephesus* show an understanding of the events in the council.²⁴²

Again it becomes evident that this “throne” was neither De Halleux’s altar, nor De Maio’s *etoimasía*. It was a plain seat, in no way different to the other seats on which the bishops sat. Consequently, there was no “throne” to transmit its authority to the Gospel-book, but vice versa: it was the object or the person (i.e. Jesus Christ) on the “throne”, that bore supreme authority and significance thanks to which the throne was highlighted and made “holy” (E431, CV §118.18).²⁴³

So if the Gospel-book does not gain its authority and importance from being placed on a special throne, where does it get it from? On one level, it gets it through its identification with Jesus Christ, the Son of God, as argued elsewhere.²⁴⁴ On another level though, it is through its placement in the centre of the assembly.

THE CENTRE OF THE ASSEMBLY

According to Cyril’s report, the Gospel-book was placed on the “midmost throne” (“ἐν τῷ μεσαιτάτῳ θρόνῳ”) of the assembly (E431, CV §81.4).²⁴⁵ Cyril would not highlight this detail if this did not bear any significant weight. The factor that gives paramount importance in this sentence is the use of the superlative adjective “midmost” to signify the placement of the Gospel-book in the core of the assembly, both physically and theologically.

As argued elsewhere,²⁴⁶ the centre of these meetings was considered as the most important and authoritative space, not only for practical reasons, but mainly for spiritual and theological ones.²⁴⁷ This understanding of the central space of these

²⁴² Price, “Enquiry on research”, 15/06/2014.

²⁴³ *Apology to the Emperor Theodosius II*, CV §118.18-19, ACO 1.1.3:83-84.

²⁴⁴ Ch.2.

²⁴⁵ ACO 1.1.3:4.

²⁴⁶ Ch.6.1.

²⁴⁷ As I have argued earlier, the central space (if we can say that there was one) in a court was important during the judicial procedure for practical reasons, so those without a stable position in the procedure could come and go and be heard from the judges and the

assemblies is not based upon their judicial context, as we have seen, but on their ecclesiastical and theological background. It is founded upon the self-understanding of these councils as gatherings of people in the name of Christ and around the person of Jesus Christ, who is present through the Gospel-book. The Gospel-book, as the physical manifestation of Jesus Christ, bears this supreme authority. This understanding is evident not only in the sources we have seen thus far, but especially in the sources we will see later, where it will become clear how these people believed that Jesus Christ was affecting them through the Gospel-book in the course of the councils by guiding them to find the truth (CV §106.12; CV §89.10-12),²⁴⁸ guarantee it (CV §51-53; CV §101),²⁴⁹ and through this procedure reach to decisions on faith (CV §84.2).²⁵⁰

CONCLUSION

To conclude, I would like to sum up the main points revealing the Gospel-book's supreme authority according to the Cyrillian argumentation:

- i) The Gospel-book is identified as Jesus Christ, supreme judge and president in these councils.
- ii) The council is summoned "by the grace of Christ" and "the commands" of the authority of the Emperors (CV §81.1) "through which Christ is glorified, the faith confirmed, and the grace of God made known to all mankind" (CV §81.7).
- iii) The council's main task is the "investigation of piety and the faith" (CV §81.3).

audience; such people were the litigants, the witnesses and the advocates. However, as such, the central space did not have any supreme authority, which in the court setting belongs to the judge. Meanwhile, in the conciliar setting the central space has the same practical importance, so that those coming and going (i.e. witnesses), or standing in the middle of the room and talking (i.e. litigants and advocates) could be heard by everyone. Nevertheless, the central space being a position of honour and having supreme authority comes as a loan from the church gatherings and their liturgical context where they used to place the Gospel-book in the middle to indicate that Jesus Christ, the supreme, leading and most important figure of these gatherings, was between them, uniting them and leading them towards God. Ch.1.2.iii, Ch.3.1.1, Ch.6.

²⁴⁸ ACO 1.1.3:55,19-21.

²⁴⁹ ACO 1.1.2:37-38; 1.1.3:46.

²⁵⁰ ACO 1.1.3:10-11.

- iv) To do so, they place the Gospel-book “on the midmost throne to indicate that Christ himself was present” in the council (CV §81.4).
- v) Contrary to what modern scholarship holds, this “throne” was not a special “throne” destined to host the Gospel-book; neither was it the seat of the secular president of the council; nor was it the altar. It was a simple chair or “throne” like the ones on which the bishops were sitting. As such, any authority the seat has is received directly from the object or person it hosts, that is the Gospel-book and not vice-versa.

Having established these, I would like now to turn to some other aspects of the Gospel-book’s authority, and especially its practical dimension, as for example Cyril’s argumentation on how the Gospel-book affected those in the council during the conciliar/judicial procedure.

2.3 THE GOSPEL-BOOK’S ROLE AS JESUS CHRIST, THE MASTER OF THE UNIVERSE, DURING THE DISCUSSIONS AND DECISIONS ON FAITH AND ORTHODOXY

As we have already seen, the first Cyrillian report summonses (E431, CV §81)²⁵¹ with the minutes sent to the Emperors straight after the first session (22 June) were intercepted by Candidian. The count informed the Emperor how Cyril prematurely opened the council without giving the opportunity to the Antiochenes and Nestorius to participate.

This led to an enraged reply from Theodosius II on 29 June, who accuses the Cyrillians of “partisanship” and warns them that he is “displeased” and that he “does not tolerate the deliberate delivery of premature judgements”. He even forbids the bishops to “leave the city” or “visit [the] divine court” before “the doctrines of piety have been examined by the whole council” and before a secular official attends the synod to “ascertain what has been perpetrated”. Theodosius closes his reply by

²⁵¹ ACO 1.1.3:3-4.

reiterating that “it is essential that everything be investigated without contentiousness and with regard for the truth, according to what will please God, and then be confirmed by [the Emperors’] piety, since [the Emperors’] divinity exercises its present solicitude on behalf not of men ... but of doctrine itself and truth itself” (E431, CV §83).²⁵² In Theodosius’ response we see again his emphasis on the council’s requirement to investigate the truth and reach a God-pleasing decision, as well as the understanding of his role as someone who ensures that these conditions are met and who confirms the conciliar decisions for the sake of the truth and the orthodoxy.

i. The Master of the Universe

On 1 July, the Cyrillian synod sends a second report to Theodosius II trying to persuade him that they met his conditions and that it was Candidian, Nestorius and John of Antioch, who put their personal interest and friendships above the need for truth and orthodoxy.²⁵³ The Cyrillians repeat the same themes, as in their first report: their assembly represents the whole Church and has done its best to establish the *true* faith and protect it. They reiterate that they “issued [their] verdict, with the holy gospel-book placed in their midst indicating that Christ ... was present”. Only that this time, they do not refer to Christ as president and judge of the council, but as “the master of the universe” (τῶν ὅλων δεσπότην). This probably serves as a reminder to the Emperor that he is subject to God and that his authority is not above Christ’s.²⁵⁴ As such he should enforce their verdict and not “put human friendship before piety”.²⁵⁵ It is clear, that in this context the Cyrillians use the Gospel-book not only to show that Jesus Christ sides with them against the heretics and guides them to a God-pleasing decision, but also that He is their true leader and that His authority as the master of all is above the

²⁵² *Theodosius II to the Council*, CV §83, ACO 1.1.3:9-10; CC §34, ACO 1.3:91-92.

²⁵³ Ch.2.3.i.

²⁵⁴ Maybe it is worth noting here that at the time of Theodosius II and until Heraclius, the official title of the Emperors were *Augusti*. From the seventh century onwards, the Greek Emperors are called Kings (*Βασιλεῖς*) or Autokrators (*Αυτοκράτωρες*), and only occasionally use extravagant titles like “Master of the Universe” (*Κοσμοκράτωρ*). Further on the comparison of the authority of the Gospel-book/Jesus Christ and the Emperor, see my analysis in Ch.6.2.iii.

²⁵⁵ *Report of the Council sent via Palladius Magister to the Emperors*, CV §84, ACO 1.1.3:10-13.

Emperor's or any other human's. This attests to the Gospel-book's supreme authority according to the argumentation of the Cyrillian synod. This authority is manifested by their act of enthroning the Gospel-book in their midst and professing its meaning to the Emperor. If these did not bear any substantial significance, the synod would have no reason to repeat them in both of its letters to Theodosius II.

ii. The purpose of the council and the role of the Gospel-book in its fulfilment

Another aspect, however, that needs to be highlighted here is the purpose of the council, which to my understanding is closely related to their employment of the Gospel-book. Elsewhere in this thesis, I argue that the Gospel-book is preferred over any other object to signify Jesus Christ due the acknowledgment that its content (Scriptures) is the truth (word of God) and that Christ is the personification of Truth (Word of God).²⁵⁶ Under this light, the book is placed in the centre of Ephesus mainly to lead the bishops to the *true* faith (orthodoxy) and to establish the truthfulness of the testimonies of the participants. Notions like "truth", "orthodoxy", "true faith", "tradition", "piety" as well as their opposites like "error", "heresy", "perversion" and "blasphemy" abound in this report and reveal the purpose of the council, as will be shown below. In the centre of all these, literally and figuratively, lies the Gospel-book and its authority.

The letter reports to the Emperors that the synod assembled "by the grace of God" and according to the imperial instructions. The Emperors "wishing to confirm piety, charged the holy council to carry out a serious examination of doctrine". The bishops examined the doctrine by "following the ancient tradition of the holy apostles and evangelists and that of those assembled at Nicaea" and by "interpreting this tradition in harmony and with one mind". This examination led them to depose Nestorius, because they "found him clearly holding heretical opinions" and "doctrines alien to the faith" (E431, CV §84.1).²⁵⁷ In this paragraph, it is shown how the Emperors saw themselves as protectors of the orthodox doctrine, and how the Cyrillian

²⁵⁶ Ch.3; cf. Ch.6.2.

²⁵⁷ ACO 1.1.3:10-11.

synod undertook the responsibility of examining it seriously, following the tradition set by the apostles and the evangelists and the first ecumenical council of Nicaea. All these appear to be and work in harmony, as parts of the same tradition, the same faith and the same body of the Church; a harmony which is disrupted only by the "heretical" and "alien" (to the orthodox faith) doctrines of Nestorius.

According to the Cyrillian argumentation, Count Candidian tried to obstruct their work because he "put[s] before piety his friendship with Nestorius". He also "misled" the Emperors before they "learnt the truth from reading the minutes of the proceedings". Most importantly, the Cyrillians emphatically reaffirm that they are not hostile to Nestorius; all they do is to simply to fulfil the Emperors' wishes, which are to "expound the doctrines of piety" and "compare [against them] the teaching of Nestorius". This resulted in them "issu[ing] their verdict" having "the holy gospel-book placed in the midst indicating that Christ, the master of the universe, was present" (E431, CV §84.2)²⁵⁸ The first two paragraphs of the letter make the Cyrillian argument sufficiently clear: the purpose of the council, as requested by the Emperors, is to establish the *true* faith (that is the faith of Nicaea), and this purpose is fulfilled by placing the Gospel-book in their midst, investigating the doctrines and issuing a verdict against the heretics. This shows the Gospel-book's supreme practical authority, as it is the only object they choose to put in their centre and guide them to truth. The book's supreme spiritual authority emerges again from its identification with Jesus Christ, the master of the universe.

Here, there is another aspect on the role of the book that should be clarified: the possibility that it has a reconciliatory character, in the sense that it is placed in the middle of the assembly uniting all opposite sides around it. But this is hardly the case here. The book unites the bishops around it, but it is only the bishops of the Cyrillian side and not those who have been excluded, like Nestorius and John of Antioch. So the Gospel-book's role here is not truly a reconciliatory one, as would be if all contesting sides gathered around it. Its main role here is rather a validating and empowering one, in the sense that the Cyrillians use it to theologically and spiritually validate their authority as the only legitimate protectors of the *true* faith. In a way, it resembles a fight: regardless of their numbers, their composition or their strength, all sides try to gain the support of

²⁵⁸ ACO 1.1.3:11.

the most powerful ally or invent the most powerful weapon (as could be the case if Cyril is innovating here), so as to ensure that the victory is theirs. The Gospel-book's authority here is not conciliatory, but combative and overpowering (hence the supremacy, once again). In the Cyrillian point of view the book is the most valid object to guide them to establish the *true* faith and protect it, and the most powerful weapon to help them prevail over their opponents. The self-presentation of the Cyrillians as continuators and protectors of the *true* faith against its enemies flows throughout the rest of the letter.

With the enemies of faith sides also John of Antioch. He puts his friendship with Nestorius over the "interests of the faith", because he does not wish to join the Cyrillians in condemning him. As a result "the orthodox members of the holy council, loving only the faith, were compelled to investigate piety" without the Antiochenes. After all, as the report adds, John himself "made plain to the holy council that he holds the views of Nestorius", either because he did not want to disrupt his friendship with Nestorius or because he "shares the error of his doctrine" (E431, CV §84.3).²⁵⁹ In this paragraph can be seen once again the argumentation and the rhetoric of the Cyrillian synod according to which its bishops are the only ones interested in safeguarding the *true* faith, while their opponents put their human friendships before orthodoxy.

The Cyrillians profess themselves ready "to ascertain the godly zeal of the holy council" in front of the Emperor, if he wishes to summon five bishops to defend the council's actions against Candidian's claims. They will do this to protect the faith and the Emperors from error, since "those who hold heretical opinions contrary to the orthodox faith are clever at disguising their error" and have even made many bishops to fall in Nestorius' "blasphemies". It was only when the bishops "sagely interrogated" Nestorius that they were able to see his errors and hence decide to separate themselves from him and join the council in condemning Nestorius (E431, CV §84.4).²⁶⁰ This could possibly be hinting at the authority of the Gospel-book: the Cyrillians were able to reveal Nestorius' heresy precisely because they had the book in their midst to guide them to truth. And as I have argued elsewhere, the book does this not by its content as Scriptures, but by its

²⁵⁹ ACO 1.1.3:11.

²⁶⁰ ACO 1.1.3:11-12.

physical presence as Jesus Christ. This view on the authority of the book as an object is probably only now emerging and is still under development...

In the end, only thirty-seven bishops remained on the side of Nestorius and John of Antioch. According to the Cyrillians, these bishops did this not because they did not see the truth (although this is not explicitly stated in the report), but because they were "liable to charges" and "afraid of the holy council's verdict". Some of them were guilty of "perverting doctrine" and "holding opinions contrary to piety", some had already been "condemned" in the past, while others "deserve after conviction on other criminal charges to receive their penalty from the council" (E431, CV §84.4).²⁶¹ In other words, the Cyrillian side revealed the truth with the help of the Gospel-book, its opponents realised the truth, but refused to acknowledge it and repent due to their personal disposition and human priorities.

The Cyrillian argumentation proceeds by claiming that their council "includes all the most holy bishops in the world" and they all hold the "one and the same belief", since the bishop of Rome and the bishops of Africa are all represented through Cyril, as the letter explains. They are all "separated only in place" and they are all "uniting their own beliefs to his", and as such they have "approved the decree of Cyril and of us all [i.e. the Cyrillian synod]". The paragraph concludes with the council reaffirming that none of the bishops who joined Nestorius would have done so if Nestorius had not been so "clever at hiding his impiety in a form of words", and that these bishops are now afraid of the "penalty that the holy council is about to impose on them" (E431, CV §84.4).²⁶²

Consequently, it becomes evident once again how the Cyrillian synod professes that having the Gospel-book in its midst, is:

- a) The only side sincerely concerned with the safeguarding of the orthodox faith and the protection of those who are more vulnerable theologically, that is the other bishops (and by extension, lower-ranked clerics and laymen).

²⁶¹ ACO 1.1.3:11-12.

²⁶² ACO 1.1.3:11-12.

- b) The only side that possesses the truth and that can see clearly through Nestorius' "errors", "blasphemies" and "heretical" doctrines. It is able to bring them to light, condemn him and protect the true faith.
- c) The only side that can be considered to represent the whole Church around the world, having Jesus Christ (through the Gospel-book) as its head and expressing the same opinion, faith and doctrine among all of its members, be it in present (i.e. clerics participating in the synod), or in the past (Evangelists, Apostles, and the council of Nicaea).

As such, the Cyrillian synod considers itself as the only legitimate authority to find the truth, take decisions on the faith²⁶³ and condemn the "heretics". This validation comes from having the Gospel-book in their midst as Jesus Christ whose supreme authority empowers the synod.

The letter concludes by reaffirming that its decision to issue "a canonical verdict of deposition against the heretic Nestorius" bears the authority of the whole Church, since in the synod there were "more than two hundred [bishops], assembled from the whole world" and "[their] verdict is ratified by all the West". Even if the plea has been signed by "only a few bishops of the council" (for the sake of time and convenience as magister Palladius was in a hurry to deliver the report to the Emperors), it still bears the "approval of everyone present" (E431, CV §84.5).²⁶⁴

In the end, the council lists the names of John of Antioch and other bishops, who were "supporters of the impious doctrines of Nestorius" and opposed his condemnation by the Cyrillian synod, and who also went around the city "stirring up tumult and commotion" and "announc[ing] ordinations" to replace (the deposed by them) Cyril and Memnon. However, the result of their actions was that "all those in the city who are orthodox" reacted and "hindered them from making this pointless attempt" (E431, CV §84.6).²⁶⁵

²⁶³ It is maybe necessary to clarify here that by saying that the council claims that it has legitimate authority to discuss about and decide on matters of faith, this does not mean that they felt they were entitled to change the faith or add anything to it; rather the opposite: they felt responsible for preserving the faith and the doctrine of Nicaea (as understood through the work of Cyril), and examine every other view (i.e. Nestorius', John's, Pelagianism etc.) in comparison to the doctrine and theology already established.

²⁶⁴ ACO 1.1.3:12. On the dubiousness of this statement: Ch.2.5.

²⁶⁵ ACO 1.1.3:12-13.

The same argument of placing the Gospel-book in the middle of the assembly to establish the truth, protect the *true* faith and guide the council to a God-pleasing decision is repeated by Cyril in another letter he sent to Theodosius II, a few months after Ephesus, as I will show below.

2.4 THE GOSPEL-BOOK'S ROLE AS JESUS CHRIST IN CYRIL'S *APOLOGY TO THE EMPEROR THEODOSIUS II*, AND HOW IT AFFECTED THE PARTICIPANTS

After the end of Ephesus I on 31st July 431, the turmoil persisted. The dispute between the sides of Cyril and Memnon, John of Antioch and Nestorius remained, so the Emperor took the extraordinary decision of ratifying the verdicts of both the Cyrillian and the Antiochene synods and as a result accepted the depositions of Nestorius, Cyril and Memnon. He imprisoned the three bishops, but Cyril changed the balance of power by donating money to several aristocrats, who influenced the emperor.²⁶⁶ Eventually Theodosius II released the three bishops and allowed them to return to their episcopacies, except for Nestorius who had to withdraw to his monastery in Antioch. On 25 October, the imperial policy was published according to which: the Emperor accepted the verdict of the Cyrillian synod to depose Nestorius, dismissed the accusations against Cyril, and declared the Antiochenes orthodox too. Yet only the Cyrillian side was invited from the Emperor to participate in Maximian's consecration as new archbishop of Constantinople.²⁶⁷

When Cyril returned to Alexandria at the end of 431, he wrote a long letter to Theodosius defending again his actions in the first session of Ephesus.²⁶⁸ He reiterates the same theme of the reports we saw earlier by professing that the Gospel-book was placed in the middle of the assembly to symbolise Jesus Christ and lead them issue a God-pleasing verdict that would establish the *true* faith, as delivered to them through tradition:

²⁶⁶ As McGuckin notes, this was a fairly standard practice at the time, but what was impressive with Cyril's donations was their size, which almost led the church of Alexandria to bankruptcy. McGuckin, 1994:103.

²⁶⁷ Further on Maximian and his relationship with Cyril, and possibly the Gospel-book, see my analysis on Ch.4.1.iv.

²⁶⁸ *Apology to the Emperor Theodosius II*, CV §118.18-19, ACO 1.1.3:83-84; PG 76:453-488. McGuckin, 1994:107¹⁷⁹. For the identification of the setting as the first session of Ephesus on 22 June 431, see Schwartz's note on the right of the text on page 83.

"18. ... then, immediately when the holy synod assembled in the holy church known as Mary, it made²⁶⁹ Christ as [its] member and head, because on holy throne was set the venerable Gospel-book, not alone²⁷⁰ and shouting to the sacred ministers: 'Judge a just judgement (Zech. 7:9);²⁷¹ judge the holy evangelists and Nestorius' clamours'. And it was commonly voted²⁷² by everybody to condemn his views, on the one hand, and to show the pure beauty of the apostolic and evangelic tradition, on the other, and [thus] the power of truth prevailed; for the correct and unimpeachable faith was confessed by everyone, and this is [also] your [i.e. the Emperors'] point of

²⁶⁹ The verb here is "ἐποιεῖτο", which reveals the active decision of the council to set Jesus Christ as its head.

²⁷⁰ The Greek text has "μόνον οὐχὶ καὶ ἐπιφωνοῦν τοῖς ἁγίοις ἱερουργοῖς" which can either mean that the Gospel-book was "not alone" but surrounded by the holy ministers to whom it was shouting; or it could be translated as "not only [shouting]" in the sense that it was doing much more than just "shouting to the holy ministers". Although both translations could be plausible, I chose the former because the syntax of the sentence points slightly more to that direction (i.e. "καὶ" between "μόνον οὐχὶ" and "ἐπιφωνοῦν"). There is also another, less plausible interpretation of the sentence, that is that the Gospel-book was "not alone" on the "holy throne". But, I feel that this interpretation can safely be ruled out on the basis that it is not supported by any of the sources in the Acts of Ephesus and the *Acts of Chalcedon*, and also due to the fact that the "holy throne" and the "not alone" are separated with comma.

²⁷¹ Here I prefer not to use one of the published English translations of the biblical passage, as most of them were not absolutely accurate and faithful to the text. Indicatively, New International Version translates it as "Administer true justice", King James Version as "Execute true judgment", English Standard Version as "Render true judgments" etc. Regarding the theological significance of the text now, it belongs to a wider pericope on justice and mercy (Zech. 7:1-14) in which God through Zechariah emphasises the need that the Israelites should focus more on being just and merciful towards each other rather than fasting (Zech. 7:1-10), and which ends with God getting angry and punishing the people of Israel for disobeying His commands. The "Lord Almighty ... scattered them with a whirlwind among all the nations, where they were strangers" and "the land they left behind them was so desolate that no one travelled through it" (Zech. 7:11-14). A parallelism and reminder to the readers of Cyril's epistle of the imminent punishment of those who disobey God's commands and do not act as just judges in his court, that is the council of Ephesus.

²⁷² I translate here the noun "ψήφω" as "voted" so as to remain faithful to the original text. However, one should keep in mind Price's remark that this can be misleading, given that the bishops did not vote, as there was not a system of majority voting, but they were rather pronouncing sentences and the system was depending on unanimity and not majority. *ACCh.1:273*³²⁵.

view and it aims to piety; because you never preferred anything else other than the truth."²⁷³ (E431, CV §118.18)²⁷⁴

Cyril then proceeds immediately to attack John of Antioch and accuse him as "procrastinator" and "lazy" and "tolerant of the evils against the wronged Christ" and as "being governed by irrationality rather than prudence" for "pronouncing an unsound and completely illegal decision" along with those who were thinking alike. According to Cyril, these were "men cityless"²⁷⁵ and deposed and adjutants to Nestorius' madness", who "shared with him the crimes of slandering against Christ" (E431, CV §118.19).²⁷⁶

Once again, we have a letter from the Cyrillian side that emphasises the role and the authority of the Gospel-book in Ephesus. It was placed in the middle of the assembly to symbolise Jesus Christ as a member and head of the synod. The thematic is the same as the one argued elsewhere:²⁷⁷ Nestorius attacked Jesus Christ with his theology, and John of Antioch refused to defend Him by fighting "the crimes of slandering" against Him. So it was up to the Cyrillians to defend the Son of God, "condemn [Nestorius'] views", and "show the pure beauty of the apostolic and evangelic tradition", "confess the correct and unimpeachable faith" and thus enable "the power of truth to prevail" and the "piety" to be achieved, according to the wishes of Emperors. To this effect, the council "made Christ as [its] member and head" as indicated by the placement of "the venerable Gospel-book on holy throne"²⁷⁸.

²⁷³ The translation of this source is mine, given that there is not a published English translation of Cyril's letter, and Price does not include it in his unpublished translation of the Acts of Ephesus. I try to remain as faithful to the original Greek text as possible giving for each Greek work its English equivalent.

²⁷⁴ ACO 1.1.3:83.

²⁷⁵ That is those without a country, the outlaws, the banished, and in the case of bishops those without a see. "Ἀπολις", *GEL*, 1968:207; *PGL*, 1961:200.

²⁷⁶ ACO 1.1.3:83-84.

²⁷⁷ Ch.2.1.ii.

²⁷⁸ For the identification of this throne as a chair, rather than the altar or an especially decorated throne: Ch.2.2.i.

In Cyril's argumentation, the book not only served as a "passive" symbolism of Jesus Christ, Nestorius' victim that the Cyrillians were invited to defend, but also a more "active" role, that of prompting the assembled bishops to "judge a just judgement" by comparing Nestorius' views with those of the "holy evangelists". This sentence is crucial in understanding the authority of the Gospel-book, not only because it gives an apocalyptic tone of the second judgement by the Son of God through the words of the Apocalyptic prophet Zechariah (Zech. 7:9); but also because it is a sentence that will again be repeated almost four centuries later. In the first session of Nicaea II in 787, an imperial sacra highlights to the assembled bishops that "the holy Gospels lying before them shout to them to 'judge a just judgement'" (N787, s.1).²⁷⁹ This reveals how Cyril's treatment of the Gospel-book was eventually established and remained unaltered in the Eastern conciliar practice throughout the centuries.

What is also apparent is Cyril's effort to establish that Nestorius received a "just judgement" directed by Christ through the Gospel-book. Even if Theodosius II had already taken his decision to validate the Cyrillian verdict, Nestorius' accusations that Cyril acted in the first session as president, judge and persecutor were still in the air. It is probable that Cyril writes this letter as a response to these accusations in an effort to assert to the emperor that he did the right thing. Nowhere in this setting does Cyril appear to play any role. It is the Gospel-book as Jesus Christ "shouting to the sacred ministers" to "judge a just judgement", and it is "everybody" that "commonly vote[s] ... to condemn [Nestorius'] views" and "show the pure beauty of the apostolic and evangelic tradition", so that the power of truth prevail[s]". This reading of Cyril's apology would be in perfect harmony not only with his theology and the prominence of Jesus Christ in it, but also with argumentation against his involvement as presented in the verdict issued against Nestorius in the first session of the council, as we will soon see.

²⁷⁹ *ACO II* 3.1:46-48; Mansi, 12:1006. Special thanks to Price for kindly bringing this source to my attention. Price, "Enquiry on research", 25/09/2015.

To sum up at this point, I would like to reiterate my findings thus far with regard to the authority of the Gospel-book:

- a. Firstly, we witness a shift from the authority of the content of Gospels (i.e. the Scriptures that the council did not examine) to the authority of the book as an object that now participates in the council and represents Jesus Christ leading the bishops to a God-pleasing decision.
- b. In doing so the bishops feel that they actively protect Jesus Christ (in the form of the Gospel-book) and the *true* faith (orthodoxy). As such, they align themselves with the faith delivered to them by those before them (Fathers, Apostles, Evangelists) and make themselves part of the same tradition and Church. Thus they satisfy the imperial wishes and fulfil the purpose of the council, which is the adherence to the traditional faith and the establishment of the truth.²⁸⁰
- c. In Cyril's argumentation it is the very presence of the Gospel-book as Christ among them that gives legitimacy to his actions and the decisions of the council by attributing everything to the Gospel-book/Jesus Christ, giving it thus the role of the protagonist in Ephesus I and hence revealing its supreme authority.

2.5 THE ATTRIBUTION OF THE CONCILIAR DECISIONS TO JESUS CHRIST THROUGH THE GOSPEL-BOOK AND THE ROLE OF THE BISHOPS

The supreme authority the Gospel-book had for the Cyrillian side emerges from its identification with Jesus Christ, the supreme president and judge of the council. This is evident in the verdict pronounced against Nestorius at the end of the first session that announces his deposition. Even though it does not mention the linking of the Gospel-book to Jesus Christ (a knowledge nevertheless acquired from the other sources of the *Acts*),²⁸¹ it highlights an aspect and understanding of the council often neglected by modern scholars: that of attributing all conciliar decisions to Jesus Christ, so as to give to them a supremely authoritative, final

²⁸⁰ This aspect of the Gospel-book's practical authority as an object to find and establish the truth will become even more evident in the sources of Ephesus that follow in this thesis, as well as in my analysis of the sources of the *Acts of Chalcedon*, where the Gospel-book is used as an object of supreme authority extracting the truth and guaranteeing testimonies: Ch.3, Ch.7.2.

²⁸¹ E431, CV §81.4, CV §84.2, CV §118.18, ACO 1.1.3:4,10-11,83-84. Especially CV §84.2 clearly links the verdict in relation to the Gospel-book and Jesus Christ: Ch.2.3.ii, Ch.3.2.ii, Ch.6.1.

and indisputable character, even if the reality was different. More particularly, in the end of the first session the Cyrillian side proclaims:

62. 'Our Lord Jesus Christ, having been blasphemed by him, has decreed through the present most holy council that the same Nestorius is excluded from episcopal dignity [office/rank] and all priestly assembly.'" (E431, s.1, CV §61-62)²⁸²

Then the signatures of 197 bishops follow, starting with Cyril. These signatures are recorded in the form of a statement like "[Name and office]: I have signed, pronouncing with the holy council" or "Being in agreement with the holy council, I have signed". There are some slight variations and differences from bishop to bishop, but they all share the same structure and format. Similar acclamations can be found in the *Acts of Chalcedon*, which abound in them. As Roueché points out about Chalcedon, the purpose of this repetitive and monotonous structure was to express the assent of each bishop with the ones before him and with the decisions of the council in general. As such, these acclamations, which are also common in the Jewish and Greco-Roman world, played a significant role in the authentication of the authority of a decision in an ecclesiastical or a secular context.²⁸³

The verdict informs us that it was signed by a great number of bishops (i.e. "more than two hundred bishops, even by bishops who arrived after the end of the first session (E431, s.1, §62).²⁸⁴ Here becomes apparent the Cyrillian effort to present the decision as indisputably authoritative on the basis that it has the consensus of all bishops.²⁸⁵ The Gospel-book is not clearly mentioned in this passage, but we know from other documents of the *Acts*, as I said, that it was placed in the middle of the assembly to signify Jesus Christ. It is he, through the Gospel-book, who acts as president and judge, after being "victimised"²⁸⁶ by Nestorius. The role of

²⁸² ACO 1.1.2:54-64. The translation has been kindly provided by Richard Price in his e-mail "Enquiry on research" on 15/06/2014 (15:15:05 UTC) with the permission to be used freely by me under the condition not to circulate them further in fairness to the eventual publisher. In brackets are my own corrections and/or additions to the translation.

²⁸³ Roueché, 2011:169-177.

²⁸⁴ ACO 1.1.2:64.

²⁸⁵ On how this "consensus" was artificially achieved in the Church councils of the time: Price, 2011b:92-106.

²⁸⁶ I use the word "victim" here in the sense of a person that has been the target of one's attack, and not in a "sense" of someone weak, who has been harmed. As such, the

Christ in the council is clear in the verdict above: it is the "Lord Jesus Christ" who has been offended and "blasphemed by him [Nestorius]" and it is again Jesus Christ who "has decreed" that "Nestorius is excluded from episcopal dignity [office/rank] and all priestly assembly". It is not Cyril, the bishops or any other human opponent of Nestorius that condemns him, but God himself. Hence becomes apparent Cyril's attempt to tone down his involvement in the council by attributing the presidency and the judgement to Christ that is present through the Gospel-book.

At the same time, the whole Cyrillian side presents itself as simply the organ which Christ uses to deliver justice against His offenders and pronounce the verdict. This is clearly stated through the words "Our Lord Jesus Christ ... has decreed through the present most holy council". Consequently the conciliar decision against the culprit is taken and passed by God himself and not by humans, which gives it the utmost validity, not only because Jesus Christ is the almighty Son of God, but also because he is omniscient, infallible and the Truth personified (John 14:6) as we will see again later.²⁸⁷ As such, and always according to the rhetoric and self-understanding of the Cyrillian synod, this God-delivered decision cannot be questioned or annulled. It is final and its authority is supreme, thanks to Jesus Christ's (through the Gospel-book) presidency over the conciliar and judicial procedure. This theology and effort to apply the divine will, as expressed through the human mediums, on the physical world is typical of the councils of the time.

However, the historical truth is quite different and reveals a divergent narrative and understanding of the conciliar process. As I will argue below, regardless of what the participants in these councils believed and claimed about their decisions as directed by the infallible God, this was at best a smart rhetorical device with the purpose of giving authority to their pronouncements; or at worst an illusion and lack of awareness of the historical reality and the relative strength of the decisions of these councils. I claim this for two reasons:

- i. Firstly, because it is well-known that these conciliar decisions were almost always questioned, disputed and challenged by the defeated and condemned party, and at times even annulled when the balance of power changed.

"victimisation" of Jesus Christ does not reduce in any way his supreme authority manifested through the Gospel-book and expressed in the conciliar decisions.

²⁸⁷ Ch.3.

- ii. Secondly, because many of the participants in these councils felt that they had not only the responsibility, but also the “right” to direct the conciliar decisions and guide the councils to serve their own sense of justice by promoting their own theology and agendas, and occasionally employing indirect, elusive and occasionally uncanonical means.

These two ideas will be analysed in the sections that follow, so as to highlight the background of Cyril’s involvement in the verdict of this first session.

- iii. In the end, I will argue why Cyril attributed the conciliar decision to Jesus Christ, which is closely related to my argument that Cyril was the one who innovatively introduced the book in the council of Ephesus to serve his own means.

i. The disputable and controversial character of the conciliar decisions: definite and infallible in theory and theology, questionable in practice

Regarding the first point of my argument, the historical evidence shows that the conciliar decisions were not immediately accepted by everyone, and the imperial power and means were always needed to implement them. This is why the litigations and theological disputes in them were so fierce. The defeated parties knew that they would face the imperial force and be subjected to its legal penalties and sanctions. This “criminalization of heresy”, as Humfress presents it, resulted not only in ecclesiastical penalties on the culprits (i.e. deposition, excommunication etc.), but also social and economic ones.²⁸⁸ With implications covering every aspect of their lives, it is easy to understand the importance of this innovative distinction between “heresy” and “orthodoxy” and its introduction in the legal and legislative system of the Christian Empire.²⁸⁹ Equally evident is why the opponents in these councils employed every means available to prevail, condemn the other side and cast it out of the frame of the Church and the Empire. This is further attested by the fact that most of the bishops had legal training and used the system to defeat their opponents and impose legal and ecclesiastical penalties on them.²⁹⁰ At the same time, they were actively affecting the content

²⁸⁸ Humfress, 2008:128-142.

²⁸⁹ Humfress, 2007b:135-273.

²⁹⁰ Humfress, 2007b:135-217.

of definitions like “orthodoxy” and “heresy”.²⁹¹ This whole context gives an additional gravity to the practice of “heresiological labelling” to which Ayres refers through his remark that the early Christian writers were “tarring”²⁹² their opponents by labelling them as “heretics”. When the accusation of heresy was established, the “tarred” individuals would face the imperial penalties.

All these make evident the reason for the intensity of these conciliar struggles and why those defeated would not accept the verdict, but would do anything they could to overturn it, even after the end of the council. This is historically attested in the summoning of new councils issuing decisions against the previous ones, as well as in the numerous appeals to the emperor attempting to persuade him not to enforce the decisions of the original council. This motif of divisive disputes is recurring in the first centuries of the Church and stands in ironic contrast to the purpose that the Emperors summoned these councils, which was to strengthen the unity of the empire and the orthodox faith.

More specifically, in the case of Ephesus, neither John of Antioch (and the Orientals), nor Nestorius accepted the decision of the Cyrillian synod to condemn them. Nestorius had to be forced by the Emperor Theodosius II to comply with the decision of the council and move first to a monastery in Antioch, and then to Egypt under the jurisdiction of Cyril. John of Antioch, on the other hand, held another synod in his city and anathematised Cyril for the way he held the council and his decisions there. Two years had to pass for John and Cyril to be reconciled in 433 through the Formula of Reunion and for the decisions of Ephesus to be accepted by both sides.

The decisions of later councils would have a similar fate, as we will see throughout this thesis. The verdict of the Flavian Home Synod of 448 was overturned by Ephesus II. Ephesus II was annulled by Chalcedon. And even Chalcedon was not easily accepted, since it took time for the Emperor to enforce the council’s decisions and led to the split between the Chalcedonian and the non-Chalcedonian Churches.

Similar struggles pre-existed Ephesus I, as attested by what followed the council of Nicaea after which the different “trajectories”, as Ayres identifies them,²⁹³ kept fighting each other for the establishment of what each defined as “orthodoxy”.

²⁹¹ Humfress, 2007b:217-273.

²⁹² Ayres, 2004:2,13-15.

²⁹³ Ayres, 41-85.

Neither were the decisions of Constantinople I (381) immediately and universally accepted. Its authority was proclaimed only seventy years later, in Chalcedon (451). Even Gregory of Nazianzus, who not only presided over Constantinople I, but also belonged to the winners, questioned the value of these councils. He spoke with depreciation for their effectiveness, especially given the bitter experiences he had in Constantinople. More specifically, when the president of the council, Meletius of Antioch, passed away, Theodosius I appointed Gregory to his place. This met the fierce opposition of the Macedonian and Egyptian bishops on the accusation that he had been uncanonically transferred from the See of Sasima. Gregory was forced to resign and leave the council. He later wrote a letter to the emperor and the others thanking them for helping him find his “peace” (ἡσυχία), as he did not like participating in councils anyway. For Gregory, nothing good ever came out of them and they only caused further controversies and schisms.²⁹⁴

In the light of these disputes, Cyril’s employment of the Gospel-book for the first time in Ephesus can be seen as an attempt to physically manifest whose side Jesus Christ was on. The Cyrillian synod had the Son of God as their president and judge, leading the council to condemn Nestorius and protect the orthodox faith and Christ himself. As such, Cyril claims an infallible and definite authority for their verdict against Nestorius. In the core of his theology and argumentation lies Jesus Christ and the Gospel-book, whose authority he uses, as shown above, to give authority to the conciliar decisions.

ii. The “paternal” responsibility of the clerics and the presidential “right” to lead the council to the “orthodox” decision

There is also another aspect that needs to be analysed here for us to get a clearer view on the actual authority of the book in relation to which image of Christ it manifests, as well as on how this relates to the authority of the (human) president of Ephesus, that is Cyril. This aspect is the “paternal” responsibility of the clerics and the presidential “right” to lead the council to the true and right (i.e. “orthodox”), God-pleasing decision. The clerics understood themselves as “fathers” and “shepherds” of their churches. As such they had to lead the council to the truth and protect their “flock” from the “heretical” doctrines of their

²⁹⁴ Gregory of Nazianzus, *Epistle* 135, PG 37:229-232; *Oration* 42, PG 36:488-492.

opponents. At the same time, the “human president” of these councils,²⁹⁵ which in the case of Ephesus I was Cyril of Alexandria, felt that he had the same “paternal” responsibility and “right” not only to lead the council to the truth and “orthodoxy”, but also to manipulate it in order to achieve his theological aims. This self-understanding and behaviour is typical of the bishops of the time, as the councils before and after Ephesus show. In my analysis below I will focus on Ephesus and Cyril’s actions in the council. By examining what authority these people believed that their actions and decisions had, and by investigating what means they were employing to reach these decisions, we can shed light on how they understood Christ’s presidency over these councils, as well as His authority as manifested through the presence of the Gospel-book.

The clerics in these councils, and especially the bishops, felt responsible for the conciliar outcome, because it would greatly affect not only their lives (in the case of the defeated), but also the lives of their flock. Therefore, they felt that it was their responsibility to safeguard orthodoxy and cast out from the Church the doctrinal errors of their opponents, and their opponents themselves should they persist on their “heresy”. In this way, they would protect the “weak” and theologically uneducated “flock”. But it is not only the orthodoxy and their flock that the clerics felt responsible to protect. It is clear from the verdict of Ephesus that they proclaim themselves as protectors of the victimised Christ, who has been offended by Nestorius. In the context of Ephesus, the Gospel-book, placed by Cyril in the middle of the assembly, serves as a bold manifestation of a dual, almost paradoxical image of Christ. On one hand, it is the fragile Jesus, “blasphemed” and attacked by Nestorius, as shown by the narrative in the *Life of Shenoute* and the verdict in the *Acts of Ephesus*. The assembly, with Cyril in the frontline, feels responsible to protect this “weak” Jesus. At the same time though, it proclaims that it acts as a medium “through” which the almighty Son of God “decree[s]” to deliver the verdict and punishment against Nestorius, and thus establish the true and right (i.e. “orthodox”) decision.²⁹⁶

²⁹⁵ I put the words here in brackets in order to distinguish them from the “divine” or “human and divine”, true and supreme president of these councils, that is Jesus Christ.

²⁹⁶ The linking of Jesus Christ and the Gospel-book with truth and how they use them to extract this truth and secure that the decisions of these councils would be adherent to this “truth” is examined in Ch.3.

A FUNDAMENTAL DIFFERENCE IN THE PURPOSE AND OPERATION OF THE ECCLESIASTICAL COUNCILS AND THE SECULAR COURTS

But Cyril does not content himself in simply placing the Gospel-book in the middle to give the assembly a physical object that declares the presence of Christ among them. Not only does he act as a prosecutor against Nestorius, but also as a human president or God's representative. He uses his status and theological authority to manipulate the conciliar procedure in order to achieve a specific outcome, that is Nestorius' condemnation. His role in the council stands in striking contrast to the role a judge would have in a secular court. The latter is expected to be impartial and ensure a fair hearing to all parties involved.²⁹⁷ At the same time, the secular judges would be more interested in delivering a fair solution that would abide by the laws of the Roman Empire. Truth and ethics could be important in the courts, but only second to the adherence to the laws and the procedural canonicity. This may sound absurd, but is evident in the following:

a) Speaking the truth in the secular courts is important, but it does not guarantee the acquittal of the defendant. If he is shown to have broken the law, he will be punished for it.

b) Regardless of the fairness of a law and regardless of the judge's personal views on the matter, the judge still has to apply the law on the defendant.

In this sense, in the secular courts the application of the law comes above the quest for truth. According to the renowned Law expert Bernard Jackson, the judges have to decide based on which side appears more "persuasive" in its argumentation and presentation of the evidence.²⁹⁸

This is particularly evident in the Late Antiquity courts, where the social class of a person was extremely crucial in the validity of his testimony in a court: the higher the social status a person had, the more trustworthy his testimony was considered.²⁹⁹ This is why I argue that in the secular courts the truth was important, but it was not a priority; what was of priority was the persuasion and the adherence to the right procedure and to the laws of the Empire.

²⁹⁷ The reality of course was quite different, given the corruption of the Roman society and the inequalities of its judicial system where some citizens had more rights (judicially and extra-judicially) than others: Ch.3.2.ii, Ch.1.4.iii.

²⁹⁸ Jackson, 1988:2,193.

²⁹⁹ *CTh* 11.39.3, Pharr:340. Humfress, 2007b:59-60.

The reality in the ecclesiastical councils, on the other hand, was quite different. The councils may have followed a canonical procedure that was borrowed from the secular courts and was still in development,³⁰⁰ but frequently the bishops were very keen to put it aside, so as to give priority to a God-driven establishment of "truth" and "orthodoxy".³⁰¹ The operator of this establishment was the president of the council, who always employed any means available to enforce their own will at the expense of any impartiality. This "partly self-entitled"³⁰² behaviour is closely related to the episcopal sense of "paternal" responsibility to reveal the "truth" and enabled the bishops to employ every means available to protect their flock from "heresy". Typical example of this self-understanding is Cyril in Ephesus I, but also Dioscorus in Ephesus II. The manipulation of the procedure of Ephesus by the former is analysed below.

CYRIL'S MANIPULATION OF THE CONCILIAR PROCEDURE IN EPHESUS

The verdict of the Cyrillian synod pronounces that "Lord Jesus Christ ... has decreed through the present most holy council ... that the same Nestorius is excluded from episcopal dignity and all priestly assembly". The signatures of the bishops follow and the *Acts* conclude by stating that "other bishops, who came to the holy council after these had signed the deposition of Nestorius, signed the preceding verdict. There were more than two hundred bishops, for some represented other bishops who were not able to come to the metropolis of Ephesus." (E431, s.1, CV §61-62).³⁰³

³⁰⁰ On this "borrowing", adaptation and development of the legal procedure of the Roman courts by the Church councils, rather than an "adoption": Humfress, 2007b:210.

³⁰¹ This is further attested by the fact that omissions or violations of the canonical procedure did not always lead to the annulment of a council, which was relying upon the discretionary powers of the Emperor. If the Emperor was persuaded that the decision is correct, he could ratify it, regardless of the procedure used to reach this decision. This is particularly evident in the case of Ephesus, since Theodosius II first decided to ratify the verdict of both the Cyrillian and the Johannine synods (i.e. depositions of Nestorius, Cyril and Memnon), and then enforce the decisions of Ephesus as a whole by reinstating Cyril and Memnon and punishing Dioscorus. McGuckin, 1994:103.

³⁰² By that I mean that it was definitely "self-entitled" in its way of expression and application in reality, but it was not "fully" self-entitled in the sense that there were good theological arguments to establish such an entitlement, and it was also further supported by the fellow bishops who participated in the council.

³⁰³ ACO 1.1.2:54-64.

The events here are presented in a way so as to create the impression that it is Jesus Christ who condemns Nestorius. The whole Church –and not only the Cyrillian assembly–voices and attests to God’s decision though the signatures of every bishop in the council, but also those away from it. This is a clear attempt to forge a unanimous consensus, necessary for the validity of the conciliar decisions.³⁰⁴ However, the historical truth is different, not only on how this consensus was achieved, but also on how the penalty against Nestorius was reached.

A closer examination of the sources reveals that not everyone who participated in this first session signed the verdict, either because they did not agree with it and withdrew from the council at some point,³⁰⁵ or because even though they agreed with it, they simply did not have the right to sign it.³⁰⁶ The latter were understood

³⁰⁴ On the necessity and reason for this consensus: *ACCh*.1:5,41,52; Price, 2011a:76; 2011b:92-106; 2011c:123; Louth, 2011:112.

³⁰⁵ This is a way to explain the presence of some bishops at the opening of the session (E431, s.1, CV §33, *ACO* 1.1.2:3-7), but the absence of their names from the signatories of the verdict (E431, s.1, CV §62, *ACO* 1.1.2:54-64). Such example is Publius of Olbia, whose name we find in the opening of the first session, but then we never hear of him again in the course of the procedure, nor do we find him among the signatories. Similar is the case of Acacius of Arca, who is present in the opening along with Caesarius *chorepiscopus* of Arca, but in the end only the latter signs the verdict, and we are not informed if he had the right to represent and sign for both. Eutropius of Etenna also appears in the opening of the council among the other 155 clerics who were present, and even though he is among those who confirm the orthodoxy and accordance between Cyril’s exposition and the Nicene Creed (E431, s.1, CV §45.37, *ACO* 1.1.2:19), he does not appear to sign the verdict in the end, and his name is not recorded among the 35 bishops who orally pronounce a judgement against Nestorius (E431, s.1, CV §47, *ACO* 1.1.2:31-35). Of course, he could be among those who the Acts broadly describe as “All the bishops exclaimed together” after the acclamations of the 35 bishops (E431, s.1, CV §48, *ACO* 1.1.2:35), but this could be also a very good way to conceal any dissonant voices and make them appear as if they agreed with the majority. It is uncertain if the same thing can be said for Prothymius of Comana, whose name is not among the signatories of the verdict, but at least in his case he first confirms Cyril’s orthodoxy (E431, s.1, CV §45.13, *ACO* 1.1.2:16) and then anathematizes orally the deniers of *Theotokos* (E431, s.1, CV §47.13, *ACO* 1.1.2:33). Undoubtedly, it is always possible that the acts may be incomplete in the names that appear as having signed the verdict. However, to my understanding, this is not very probable, given that Cyril wanted to make the verdict appear as having the consensus of everyone in the council and as having the widest support as possible. For this reason, he collected signatures from bishops who were not even present in the council. So accidentally missing out the ones who were there does not seem very likely to me. After all, to the same effect of propagating the council’s decision as unanimous, it is absolutely reasonable and possible that any voices disagreeing with Cyril during the procedure could have been simply removed from the final version of the minutes.

³⁰⁶ Examples of this were priests, deacons and archimandrites that attended the procedure and played a role in it. Such is the case of the abbot Shenoute of Athripe, that we examined earlier; but also Bessulas, the deacon of Carthage, whose name appears in the opening of the council (E431, s.1, CV §33) and who reads the letter sent by his absent bishop Capreolus (E431, s.1, CV §61); or even Epaphroditus, bishop Hellanicus’ lector and notary, who delivered the second summonses to Nestorius along with the other three bishops (E431, s.1, CV §39).

to be represented through their bishops and the bishops were taking the responsibility to sign for them, which reveals this “paternal” right and responsibility I speak of. This may sound normal to the modern reader, but we should keep in mind that Ephesus was in a period when the hierarchical structure of the Church had not yet been fully developed, especially with regard to the relationship between the monks and the bishops. Two more decades would have to pass for this development to be formulated and canonised by Chalcedon in 451 which decreed that all monks and monasteries would be subjected to their bishops.

Most importantly, though, there were many bishops who are missing from the verdict, either because they had not arrived to Ephesus yet, or because they objected to the early opening the council. Striking examples of the former are the papal delegates Arcadius, Projectus and Philip, and of the latter the Oriental-Antiochene delegacy. They all arrived late in Ephesus due to the difficulties they encountered in their journeys. Cyril interpreted the delay of the Antiochenes as unwillingness of John of Antioch to condemn his friend, Nestorius.³⁰⁷ For this reason and to ensure the prevalence of his own position, Cyril hastened to open the council with a large number of bishops missing. The majority of those present were already pro-Cyrrillian and would gladly support his decisions. Consequently, it becomes apparent that the composition of the assembly was not as balanced as the Emperor had in mind when he was summoning the council. Contrary to what the verdict implies, a significant number of bishops was missing from the first session and as such, they did not sign Nestorius condemnation.

Even the defendant Nestorius was absent. In theory, he was given the opportunity to defend himself in front of the council after receiving the three summonses. In reality though, he knew that he did not stand a chance to be vindicated by the Cyrrillians. Furthermore, Count Candidian, who would represent the Emperor in the council, missed the biggest part of the first session. On the contrary, he sided with the sixty-eight bishops who opposed the early opening of the council. He entered the church and tried to prevent Cyril from continuing the session by declaring it illegal. But to no avail, as Cyril manoeuvred Candidian by having him read the imperial decree of convocation (*sacra*), which was immediately followed by the bishops professing their loyalty to the Emperor through acclamations on his longevity. By doing so, the Cyrrillian assembly was recognised as symbolising the

³⁰⁷ McGuckin, 1994:1-126.

presence of the council as a whole, and by extension the whole Church, despite the absence of many bishops.³⁰⁸ When Candidian realised his mistake and Cyril's dodge, it was too late because the council had already been "canonically" and "legally" sanctioned.³⁰⁹

Consequently, despite the theological image that the verdict claims to propagate (i.e. that of having the unanimous support of the whole Church), the truth was that no consensus had been achieved and that the Church, as expressed through the council, had not condemned Nestorius in unison. It was all a result of Cyril's cunning, who employed other, uncanonical and non-theological means: that of consciously ignoring and silencing the dissonant voices and deliberately excluding the supporters of Nestorius. In his pursuit to safeguard and pronounce what he considered as the "true" and "orthodox" doctrine by condemning Nestorius' teachings, Cyril felt he had the "right" and the responsibility to "protect" the Church by manipulating the canonical procedure. Only ostensibly did he appear to abide by the orders of the Emperor and the imperial purposes for summoning the council. In reality, he used them to serve his own agenda.

These all become even more blatant when we take into consideration that in the eyes of those unaware of his device with the Gospel-book (Cyril's contemporaries and modern scholars), Cyril was acting both as judge and a plaintiff.³¹⁰ This behaviour was one of the reasons why Emperor Theodosius II withdrew his concurrence to the actions of the Cyrillian synod and requested a new, collective session to examine the matters afresh.

CYRIL'S BEHAVIOUR AS COMMON PRACTICE IN THE CHURCH COUNCILS

Two decades later, a similar display of presidential and "paternal" responsibility and "right" to manipulate the canonical procedure for the sake of the "truth" and the promotion of the president's own theological positions was displayed by Dioscorus in Ephesus II. In this case, however, the council not only breached

³⁰⁸ That is approximately the 1/4 of the bishops summoned and being present or arriving in Ephesus. This is the result if we calculate the 197 signatories who signed the verdict, and the 73 missing, that is the papal representatives, Nestorius, John of Antioch and 68 more bishops of the Antiochene delegacy.

³⁰⁹ McGuckin, 1994:77-79.

³¹⁰ Graumann, 2007:108-109. For my approach that differs from the established scholarly view: Ch.1 conclusion, and Ch.2.5.iii.

important procedural rules, but also resorted to violence. This resulted to the convocation of Chalcedon and the annulment of the decisions of Ephesus II.

Contrary to what happened in Ephesus I, in which Nestorius was given ostensibly the opportunity to defend himself, Dioscorus refused this right to the defendants of Ephesus II. As attested in the *Acts of Chalcedon*, some of them were condemned in absence, without even having been summoned to the council. Theodoret of Cyrrhus was refused the right to attend Ephesus II by orders of the Emperor Theodosius II himself (CHA. s.1, §24).³¹¹ Ibas of Edessa was in prison (CHA. s.10, §1).³¹² Domnus, who was in the city but pleaded absence on the reason that he was ill, was not even informed that he was under trial, nor was he summoned to attend.³¹³ Meanwhile, Flavian of Constantinople and Eusebius of Dorylaeum were allowed to attend, but they were not given the right to speak and defend themselves.³¹⁴

Further accusations were unleashed in Chalcedon against the president of Ephesus II, Dioscorus of Alexandria, for overriding the canonical procedure, as for example for the fact that not only he did not guarantee the bishops' safety, but he even endangered it. He was accused that he brought in the council the military and the Alexandrine *parabolani*; that he threatened the bishops to concord with his decisions; that he gave them blank papers to sign on which he would later add his pronouncements; and that he eventually allowed the mob to lynch Flavian.

Ephesus I and II were not the only examples of manipulation or even abolishment of the canonical procedure.³¹⁵ Lest not forget the events that led to Ephesus II and one of the reasons that Flavian was put into trial: the revelation by the patrician Florentius that in the Home Synod of Constantinople (448) Flavian did not provide a fair and impartial hearing to Eutyches and that he had already pre-decided, signed and sealed his condemnation prior to the council (C449c, CHA. s.1, §838, 842).³¹⁶

³¹¹ ACO 2.1.1:68-69; ACCh.1:34¹²⁴,132.

³¹² ACO 2.1.3:16-17; ACCh.1:34¹²⁴; ACCh.2:273.

³¹³ ACCh.1:34¹²⁴.

³¹⁴ Ch.2.5.ii.

³¹⁵ Even though the canonical procedure was only now developing, and as such not standardised, it is clear from the acts of Ephesus and Chalcedon that there were specific expectations on the format and the legality of the procedure followed.

³¹⁶ ACO 2.1.1:178; ACCh.1:267-268.

CYRIL'S MANIPULATION OF THE SENTENCE AGAINST NESTORIUS

These examples sufficiently show how the bishops, and especially the presidents of these councils, manipulated the conciliar procedure to pass their own positions under the pretence of safeguarding the "orthodoxy", and in contrast to their claims that it was Jesus Christ who decreed this decision.

According to some scholars, Cyril not only manipulated the consistency of the council to secure Nestorius' condemnation, but he even changed the sentence itself. There is a discrepancy between what Nestorius' sentence was originally supposed to be when awarded by Celestine, and what it actually came to be after Cyril's intervention, as argued by Vogel,³¹⁷ de Halleux and Famerée.³¹⁸ They claim that Celestine inflicted the penalty of a simple excommunication on Nestorius and expected the assembled bishops to "assent" to his decree and "execute" it.³¹⁹ However, thanks to Cyril's cunning this penalty was converted to the graver deposition through a trick in the translation.

More specifically, there are three documents issued in Greek and Latin after the first session of Ephesus that clearly state that the verdict of the holy council was to depose Nestorius ("καθαίρεσις") according to the ecclesiastical canons and the sentence awarded by Celestine in his letter to the council.³²⁰ This sentence was pronounced by Cyril and meant that Nestorius should be "stripped of every

³¹⁷ Vogel, 1978:12-13.

³¹⁸ De Halleux, 1993:81; Famerée, 2009:114-115.

³¹⁹ According to Celestine's letter read by the papal delegates on the second session of the council (10 July): "They are to take part in the proceedings and execute what we have already decreed (nobis ante statuta sunt, exequentes). We do not doubt that this will receive your holinesses' assent (adsensum), when that which is read out is seen to have been enacted for the well-being of the universal church." (E431, CV §106.18). ACO 1.2:24; 1.1.3:55.

³²⁰ *Verdict Pronounced on Nestorius Deposing him*, E431, s.1, CV §61-62, CC §25: "καθαίρουσα/damnans" and "ὥρισε ... ἀλλότριον εἶναι τοῦ ἐπισκοπικοῦ ἀξιώματος καὶ παντός συλλόγου ἱερατικοῦ / definiit ... sanctissimam synodum alienum esse ... ab episcopali dignitate ... ab omni collegio sacerdotali"; *Notification sent to Nestorius of his Deposition*, CV §63, CC §26: "καθηρῆσθαι καὶ παντός ἐκκλησιαστικοῦ βαθμοῦ ὑπάρχειν ἀλλότριον / damnatum et omni ecclesiastica lege extraneum esse"; *Notification of Nestorius' Deposition to the Clergy of Constantinople*, CV §65, CC §28: "καθηρῆσθαι καὶ παντός ἐκκλησιαστικοῦ βαθμοῦ ὑπάρχειν ἀλλότριον / condemnatum et totius ecclesiastici gradus esse alienum". ACO 1.1.2:54,64-65; 1.3:82-84.

ecclesiastical rank” and become a layman. But for Vogel, De Halleux and Famerée, Celestine meant only to excommunicate Nestorius and not depose him.³²¹

This is evident in Celestine’s original letter in Latin through the words “a nostro collegio, cum quibus tibi non potest esse communio, te intelligant separatum”. The Greek translation initially remains faithful to this as “μάθωσί σε ἀποκεχωρίσθαι τοῦ ἡμετέρου συνεδρίου, μεθ’ ὧν σοι οὐ δύναται κοινωνία εἶναι”.³²² But a few lines later, the Alexandrian translator renders the excommunication sentence in Latin (“ab universalis te Ecclesiae catholicae communione deiectum”) to a deposition in Greek (“ἀπὸ πάσης κοινωνίας τῆς καθολικῆς ἐκκλησίας ἐκβέβλησαι”). This happens by turning the first adjective “universalis (te Ecclesiae catholicae)” into an ablative “universalis communione / πάσης κοινωνίας”, which results to expulsion from “any communion” with the Catholic Church (i.e. deposition). With this trick, Cyril manages to give a different meaning to Celestine’s original sentence and as such inflict on Nestorius the penalty of deposition at the end of the first session.

To conclude, I think that these examples suffice to reveal how these bishops, and especially the presidents of these councils, felt that they had the “paternal” responsibility and “right” to manipulate the procedure. Legally and canonically they were not justified in doing so and this is evident by the continuous efforts of the Emperors to enforce the canonicity of the procedure through their secular representatives. Theologically, though, the bishops placed their goal to “protect” the Church and to “safeguard” the truth and the “orthodoxy” from the “heretical” doctrines of their opponents above every other concern. With such an understanding of what the councils were and how they operated, as well as with such a “self-righteous” or “divinely inspired” way of thinking and acting,³²³ it is no

³²¹ Vogel, 1978:12-13; De Halleux, 1993:81. On the three degrees of the ancient excommunication: Vogel, 1978:13; Borras, 1987:258.

³²² *Letter of Celestine to Nestorius*, CVr §18, CV §10, ACO 1.2:12; 1.1.1:82-83.

³²³ By “self-righteous” I am referring to the fact that sometimes the clerical presidents and bishops of these councils felt they had the “right” to act however they liked, even though this right was not given to them by the canons or the Emperor. By “divinely inspired” I mean the “God-given right” they believed they had to act this way, either based on their “God-blessed” office as clerics, which they understood as “fathers”, “shepherds” of their flock, “doctors” of the “orthodoxy”, “protectors” of the Church and “keepers” of the one and only truth. To this it would not be absurd to assume that they also had the confidence that if God was on their side, he would bless their actions (regardless of how uncanonical

wonder why they felt they had the right and the need to attribute the conciliar decisions to Jesus Christ himself, so as to give “indisputable” and “final” authority to their verdicts.

It is through the same understanding and mentality that Cyril places the Gospel-book in the middle of Ephesus as a clear manifestation of Christ’s presence among them. The Gospel-book would be used as a means to express God’s will; remind the participants that it was Christ they had to defend; and intimidate them with the immense power of the Son of God, if they failed to do so. It is with this authority that the Gospel-book is employed by Cyril and the ones that follow his example, as those in the Home Synod of Constantinople of 448, the Synod of Constantinople of 449 and the Council of Chalcedon. The Gospel-book, especially due to its double nature as earthly and divine, is the most powerful weapon to help them achieve their goals, be it the extraction of truth, the binding of the speakers to their oaths, the finalising of decisions and giving authority to them, or the leading of the councils to the desired outcome.

iii. An alternative interpretation for the reasoning behind Cyril’s attribution of the conciliar decision to Jesus Christ through the Gospel-book, and the ramification in relation to the book’s authority

It is beyond doubt that the theological reasoning of these councils had to be supported also by more practical means, that is the authority of the Emperor and of the legal system of the time. All decisions pronounced by a major council like this had to be ratified by the Emperor, so as to activate the support of the secular mechanism. This is why these people were in a constant struggle to gain the Emperor’s support to their actions. To do so, a minimum level of legality had to be observed, so that the council’s decisions would not be annulled on the basis of procedural misconduct.³²⁴ Especially in the case of the first session of Ephesus, as Graumann remarks, one of the biggest obstacles was that Cyril assumed the role of the “persecutor”, “accuser, emperor and judge” and the “bishop of Rome”,

and violent they were) and let them go away with it. This is not far from the mentality described in Gaddis, 2005.

³²⁴ Ch.2.5.ii, Ch.3.2.

expressed as a complaint in Nestorius' *Bazaar of Heracleides*.³²⁵ For Graumann, this was a significant breach in the legality of the judicial procedure. This breach endangered the legitimacy of the conciliar verdict,³²⁶ and for this reason, according to Graumann, Cyril attempts to avoid any direct involvement in the verdict by making it appear as a mere ratification of the Roman decision.³²⁷

However, the same way that modern scholarship has not paid any attention to the role of the Gospel-book in the ecumenical councils or the possibility that it was introduced there by Cyril, the same way another aspect has been missed. To my understanding, if this introduction was Cyril's innovation, it may be closely related to the attribution of the conciliar verdict to Jesus Christ. By appointing Christ – physically present through the book– as supreme judge and president of the council, Cyril not only wanted to give final and irrevocable authority to the conciliar decisions, but he was also attempting to avoid two things.

Firstly, avoid the accusation that he manipulated the council against Nestorius. According to Cyril, it was Christ himself who was guiding and controlling the synod and who issued its decisions. Cyril should not be blamed for things God decided through the council.

Secondly and most importantly, to avoid the legal obstacle that the same human could not act as a president-judge and an accuser in a trial. Cyril, in all his cunning –as modern scholarship views him– was not naïve enough to risk the validity of Ephesus by making such a bold mistake of assuming both roles. Nor could he feel confident enough to disregard the procedure, when his main opponent enjoyed the support of the Emperor. It is my understanding that, by introducing the Gospel-book in the centre of the council and appointing Jesus Christ as supreme judge and president, Cyril was trying to circumvent this obstacle. If Jesus Christ presided over the council and passed judgment on Nestorius, Cyril would be free to act as Nestorius' accuser. Under this light, Cyril's emphasis on the presence of the Gospel-book and Christ's presidency and judgement, as expressed through the documents that followed the council, could be interpreted as an effort to establish this function.

³²⁵ Nestorius expected Ephesus to be a philosophical or doctrinal debate between equal members, so he was shocked by Cyril's "unfair treatment". Nestorius, *Bazaar*, 1910:195; transl. Driver, Hodgson, 1925:132. Graumann, 2007:100¹; 2011:40.

³²⁶ Graumann, 2007:108-109.

³²⁷ Graumann, 2011:40.

Undoubtedly, to our modern understanding the use of the Gospel-book to physically represent Jesus Christ as judge-president of the judicial-conciliar procedure may look merely symbolical, that is without any legal or secular authority. However, to the understanding of the people of the time, it was much more than that. As I already argued in this chapter, they saw the Gospel-book as an actual manifestation and presence of God in the room with real and tangible authority over the participants, covering both the natural and the supernatural reality.

Thanks to Cyril's innovation in Ephesus, the Gospel-book also gradually acquired legal/judicial authority. This is particularly evident in Justinian's law of 530, according to which the book could now legitimately replace people who were absent from the court-room, thus circumventing any legal difficulties like the requirement for all litigants to be present in the trial. More specifically, according to the law:

"When the question of default is examined, whether on the part of the plaintiff or defendant, the inquiry shall be made without hindrance. For since this is done with the awe-inspiring scriptures present, the absence of the litigant is supplied by the presence of God; nor need the judge fear the obstacle of an appeal, which, as is known, is also clearly stated in the ancient laws."
(*CJ* 3.1.13.4)³²⁸

Clearly the law is issued a century after our events. However, if one follows the development of the authority of the Gospel-book in this period, as outlined in Chapter 1, and its introduction first in Ephesus and the other Church councils, and then in the secular sphere and the courts, it is possible that what we witness in Ephesus is the first indication of this function; or at least the argumentation behind it. Hence, the function of the Gospel-book and Christ in Ephesus as judge and president should not be taken as merely symbolical. The book, primarily as an object and less as its content, had a pragmatic authority in the conciliar-judicial procedure.

By appointing Jesus Christ through the Gospel-book as judge and president of the council, Cyril was attempting to untie his hands to act freely as persecutor against Nestorius. After all, despite the colossal size of the *Acts of Ephesus* and the

³²⁸ Blume: *CJ* 3.1.13.4.

documents around it, we never find Cyril admitting that he operated as judge and president. Rather the opposite, as we have seen through his special emphasis on the role of Jesus Christ and the book. Undoubtedly there is evidence revealing Cyril's role as president, as for example the fact that his name is first among the signatories,³²⁹ or the statements of some of the participants.³³⁰ However, these do not exclude the possibility that he was viewed as the frontman of the defenders of Christ, or a mere "facilitator" and "servant"³³¹ of the authority of the book in the council.

Meanwhile, Nestorius in his *Bazaar* insists on Cyril's triple role as judge-president-prosecutor, hoping to persuade the Emperor to annul the verdict as illegitimate. It is possible though that the reason he focuses on this triple role was to counter-balance Cyril's presentation of Christ as president-judge through the book. This would be a reasonable thing to do, especially if Cyril's employment of the book was innovative, and given also that Nestorius did not acknowledge to Christ the same status as Cyril did.

CONCLUSION

In the decades that follow Ephesus, two things become apparent: a) the central position of the Gospel-book to represent Jesus Christ is gradually established in the ecclesiastical and secular sphere, at least in the Eastern part of the Empire; b) the clerics gradually realised that developing a theology to support their actions and decisions in these councils was simply not enough. A proper legal procedure would have to be followed, so that their conciliar decisions would have authority and would not be annulled.

Both of these attributes can be seen in Chalcedon where, on one hand, the Gospel-book is enthroned again in the middle of the room and employed in the conciliar-

³²⁹ However, this could also be interpreted as first human after Christ, as indicated by the presence of the Gospel-book.

³³⁰ See for example the words of Acacius of Melitene (E431, s.4, CV §88.3, ACO 1.1.3:17), the reply of the council to the imperial *sacra* (E431, CV §94.3, ACO 1.1.3:33), the injunction sent by the council to the bishops of Constantinople to plead against John's *conciliabulum* (E431, CV §95.1, ACO 1.1.3:34), and the report to Theodosius II sent via the envoys of the council (E431, CV §108, ACO 1.1.3:66).

³³¹ See for example Cyril's *Homily 6* against John of Antioch (E431, CV §78) preached, according to Price, sometime around 25-26 July in which Cyril emphasises the role of the priests as servants of Christ and as protectors and teachers of the orthodox faith. ACO 1.1.2:98-100.

judicial procedure, while on the other the Emperor ensures the canonical procedure by appointing the presidency of the council to his secular officials in most sessions. This realisation for the need for legality could be another reason why the clerics in Chalcedon were more willing to comply with the directions of the secular officials. This came in stark contrast with their behaviour in Ephesus, where despite the existence of a greater imperial force sent there by a more powerful and experienced Emperor, like Theodosius II, they were unwilling to compromise. The fact that they were more compliant to the newly appointed and inexperienced Marcian in Chalcedon could mean that they now understood that proper procedures should be followed.³³²

In a sense, we could say that these two conditions were gradually established together: the presence of the Gospel-book in the centre of the room to lead everyone to a God-pleasing decision, and the attendance of a proper legal procedure to ensure that this decision had not been manipulated by any human factors.

I think that by now the Gospel-book's supreme significance and authority in Cyril's argumentation has been sufficiently established. However, there is another aspect that needs to be examined regarding the book's operation in the conciliar and judicial context that will give us a fuller image of its authority. This aspect is the Gospel-book's close relation to the truth, precisely based on its identification with Jesus Christ, the Word of God; a relation that makes it the most suitable object to be used in the conciliar-judicial process in order to reach the truth and establish the correct faith as a council, on one hand, and to extract truth and guarantee truthful testimonies from the witnesses as a court, on the other.

³³² One could maybe argue here that the reason the clerics were less unruly in Chalcedon than in Ephesus I was due to the fact that a leading, powerful and authoritative figure like that of Cyril was missing from Chalcedon, and hence it was more difficult for the clerics to have someone step forward and take the lead in the protests against the secular officials' interventions. This is true, but let us not forget that, on the other hand, in Chalcedon it could maybe be easier for the clerics to oppose the Emperor's will given that Marcian was a new Emperor, far less experienced and more open-minded than Theodosius II. As such he was still trying to find his steps and balance between the different factions of the council in his effort to avoid a further schism that would endanger the stability of the Empire.

CHAPTER 3. THE RELATION OF THE GOSPEL-BOOK TO THE TRUTH AND ITS USE AS A TRUTH-EXTRACTING TOOL

INTRODUCTION

Modern and past scholars have written a lot about the relation of the content of the Scriptures to the truth. Little, if anything, has been written though on the relationship of the Gospel-book as an object to the truth through its establishment as the most adequate object to signify Christ's presence in these councils. My chapter here focuses on:

- a) this close relation of the truth to the Gospel-book as an object through its identification with Christ, and
- b) the book's consequential employment as the best tool to extract truth from the witnesses and have them guarantee their testimonies on it.

Through this analysis, I aim to reveal another aspect of the book's gradually established and eventually supreme authority in the conciliar and judicial context of the fifth-century councils.

3.1 THE RELATION OF THE GOSPEL-BOOK TO THE TRUTH; THE THEOLOGICAL PERSPECTIVE OF THE CONCILIAR PROCESS

There is a close relation of the Gospel-book to the truth, which makes it the most suitable object in the conciliar and judicial context of Ephesus I to extract the truth and to guarantee truthful testimonies. This relation is based on its identification with the person of Jesus Christ, who in these councils acts as the Son and Word of God, the personification of the Truth, or in the words of Christ as recorded by John, "the way and the truth and the life" (John 14:6).³³³ This identification is the reason that brings the Gospel-book in Ephesus I and it allows us to understand better the operation and self-understanding of the fifth-century councils even if the book is not directly mentioned in some of our evidence.

³³³ John 14:6, New International Version: "I am the way and the truth and the life. No one comes to the Father except through me".

i. The presence of Christ and truth in the midst of a clerical assembly

After the first session of 22 June, Theodosius II ratified the decisions of both the Cyrillian and the Johannine synod, which resulted in the deposition of Nestorius and Cyril for heresy, and of Memnon for stirring violence.³³⁴ Meanwhile, the Papal delegates Arcadius, Projectus and Philip arrived in Ephesus and held two more sessions (10-11 July) with Cyril, while still being unaware of his deposition. These sessions were held in Memnon's episcopal residence and make no reference to the presence of the Gospel-book, so we cannot safely assume that it was present in the room. The Roman delegacy carried with them a letter from Celestine to the council with his request to confirm Nestorius' condemnation by the Pope.³³⁵

This letter too does not make any reference to the Gospel-book or a practice of its enthronement in the centre, even though it had the opportunity to do so, taking into consideration its theology. This attests further to the possibility that the Pope was unaware of this practice, and that it was all Cyril's innovation, as argued in Chapter 1. This theology, as articulated by one of the most authoritative figures of the early Church, is of particular interest for our argument, because it links the Scriptures to the truth, and hints at the theology that Cyril had in mind when enthroning the Gospel-book in the centre: the councils are viewed as assemblies of clerics around Christ, followers and continuers of the apostolic tradition, whose purpose is the unveiling of truth, the protection of the orthodox faith and the communication of this faith to the other members of the Church. These elements are crucial in understanding the role of Christ, represented through the Gospel-book, in these councils, and in revealing thus one more aspect of the book's authority: that of operating as the most authoritative and adequate truth-extracting tool, scarcely used in Ephesus (hence the argument on a tradition under formation) and more frequently used in the councils that followed.

More specifically, Celestine opens his letter³³⁶ by sending "greetings in the Lord to the holy council" and then uses Scriptural passages to articulate his theology on how Jesus Christ is with the council, helping it to judge, teaching it and leading it to the Truth. The council in turn has the obligation to take upon God's work and

³³⁴ However, in the face of the turmoil caused by the Cyrillian supporters, he would eventually reconsider. McGuckin, 1994:98.

³³⁵ McGuckin, 1994:99.

³³⁶ 8 May 431. ACO 1.2:25.

continue it. According to Celestine, who bases his theology on the words of Jesus Christ himself as quoted by Matthew:

"An assembly of priests indicates the presence of the Holy Spirit. For the text we read is certain, since our Truth cannot lie, of whom is the statement in the Gospel:³³⁷ 'Where two or three have been gathered in my name, there am I also in the midst of them.' (Mt 18:20)" (E431, CV §106.12)³³⁸

This passage reveals another aspect of the theological understanding with which Cyril enthrones the Gospel-book as a physical manifestation of Christ among them:³³⁹ it is Christ among his disciples (here the clerics) who brings the truth to light through them. Jesus' assertion comes from a wider Matthean pericope in which he instructs his followers on how to deal with sin among the Church members. More specifically, the true disciple needs to approach the sinner and point out his/her fault in private; if the sinner does not repent, the same process should be followed in front of one or two other members of the Church "so that 'every matter may be established by the testimony of two or three witnesses.'" (Mt 18:16), as was the practice in the times of Deuteronomy (Deut. 19:15). If this approach fails too, then the Church needs to be informed, and if the sinner persists on his/her sin, then he/she should be treated like an outcast (Mt 18:15-20). According to Christ's assertion, this whole process will be taking place in front of him, so long as at least three disciples are assembled in his name.

Celestine builds on this understanding with the only difference that his emphasis falls on the presence of the Holy Spirit. Furthermore, for him, even though God's presence is guaranteed regardless of the number of those assembled, the larger this number is, the greater is the evidence of the divine presence among those assembled as one:

³³⁷ The Latin word used here is "Evangelio" and its Greek translation is "εὐαγγελίον". As such, it is unclear whether Celestine means the Gospel in its literal sense (i.e. Gospel-book) or its figurative sense (i.e. Gospel). Either way, his emphasis falls on the content of the Gospel-book, that is the Scriptures.

³³⁸ ACO 1.2:22; 1.1.3:55.

³³⁹ It is not clear from the letter, which was written before the council of Ephesus, as I said earlier, whether Celestine was aware of a similar practice of placing the Gospel-book in the middle of councils, since his letter probably describes more the theological framework, rather than the actual practice. Nevertheless, it is this theology and understanding that comes to coincide with the practice of the bishops already assembled in Ephesus.

"This being so – since even this small number is not without the Holy Spirit–, how much more should we believe that he is now present, when a multitude of holy men have come together as one?" (E431, CV §106.12)³⁴⁰

For Celestine, these assemblies follow the example and continue the tradition of the Apostles. Jesus Christ is constantly present among them to guide them in a continuous process:

"They were never without the one whom they had received as the subject for their preaching; the Lord and Teacher was always with them, and those giving instruction were never deserted by their instructor. They continued to be taught by the one who had sent them; they continued to be taught by the one who had told them what to teach; they continued to be taught by the one who confirms that he is heard in his apostles (Lk 10:16)" (E431, CV §106.12)³⁴¹

This process and tradition is inherited and continued by the synod of Ephesus, since according to Celestine "the task of the preaching entrusted to [the Apostles] has come down in common to all the priests of the Lord", who in turn "by an inherited obligation" have the "responsibility" to "preach the name of the Lord" according to Christ's commandment: "'Go, teach all nations.' (Mt 28:19)". The duty and aim of the assembled bishops is "the preservation of what has been handed down", that is the "seeds of faith". This is their "common labour" and they must "be active" in it, so that they "preserve what has been entrusted" to them "through apostolic succession" (E431, CV §106.13).³⁴² To this effect, Celestine prompts the bishops to "be of 'one heart and one soul', (Acts 4:32) when the faith, which is one, is under attack." (E431, CV §106.14), which again highlights the same themes of oneness and truth.³⁴³

³⁴⁰ ACO 1.1.3:55.

³⁴¹ ACO 1.1.3:55.

³⁴² ACO 1.1.3:55-56.

³⁴³ ACO 1.1.3:56.

But for Celestine, it is not only the faith which is attacked by Nestorius, but Jesus Christ himself; a view that shows how Celestine shares the same approach with Cyril, both with regard to Nestorius' doctrines, and regarding the council's duty to defend Christ, the victim and judge. As Celestine says:

"Let the whole assembly in common join us in deploring, indeed bewailing, this fact: there is summoned for judgement he who will judge the world, there is brought to trial he who is to try everyone, there is subjected to calumny he who redeemed the world" (E431, CV §106.15).³⁴⁴

The victory of the supporters of Christ is certain because they have him with them and as Celestine assures the assembled bishops "Through the favour of the Lord ... let no one doubt that there will be peace ... since the subject of the dispute defends himself." (E431, CV §106.15).³⁴⁵

For Celestine, preaching the faith and defending it are closely related. Together they result in the preservation of "what the apostles preached" which "has reigned unstained among" the bishops, since "the task of veracity cannot be suppressed by falsehood" (E431, CV §106.16).³⁴⁶ This reveals how in the eyes of the participants of the councils, notions like "faith" and "truth" intertwine. "Preserving" them, "defending" them and "preaching" them is their fundamental mission.

To do so, the council needs the assistance and guidance of Christ through the Holy Spirit. This is why Celestine prompts the bishops to "implore ... that you may speak the word of God with confidence, that he may enable you to uphold what he has granted you to preach" and that "'filled with the Holy Spirit', (Acts 2:4) in the words of Scripture" the bishops will "profess, albeit in varied speech, that one truth that the Spirit himself has taught" (E431, CV §106.17).³⁴⁷

Once again it becomes evident how important it was for the council to appear as speaking in one voice, professing, preserving and preaching the same faith and truth that were delivered to them by Christ himself through the Apostles. By doing

³⁴⁴ ACO 1.1.3:56.

³⁴⁵ ACO 1.1.3:56.

³⁴⁶ ACO 1.1.3:56-57.

³⁴⁷ ACO 1.1.3:57.

so, they were aiming to show that they are the legitimate and authoritative followers of the apostolic tradition. And not only this, but the bishops – in the voice of Celestine – admit their awareness that it is impossible for them to do this on their own, and this is why they need Christ to guide them and instruct them, as he always did with his disciples. After all, it is he who has been attacked by Nestorius and it is only he who has the right and power to judge Nestorius and condemn him. For in the end, he is the supreme judge and head of all, and nothing can be done without his blessing and support, or as Celestine puts it:

“Let them have scattered the seeds of faith, and let our care preserve them, so that the fruit may be found pure and plentiful at the coming of the head of the household, to whom alone, assuredly, is to be attributed its abundance. (Mt 25:14-20) For as that vessel of election says, it does not suffice to plant and water, unless God gives the increase. (1 Cor 3:7).” (E431, CV §106.13).³⁴⁸

Celestine closes his letter by informing the council that he sends his delegates to “take part in the proceedings and execute what [he has] already decreed” and that he has no doubt that his decree will receive the “assent” of the assembled bishops. (E431, CV §106.18).³⁴⁹ And indeed this assent is received since the bishops are recorded to accept his judgement by shouting together:

“This is a just judgement. To Celestine the new Paul! To Cyril the new Paul! To Celestine the guardian of the faith! To Celestine one in mind with the council! The whole council thanks Celestine. One Celestine, one Cyril! The one faith of the council, the one faith of the world!” (E431, CV §106.19).³⁵⁰

An acclamation that reveals once again the eagerness of the bishops to profess that Celestine, Cyril and the council protect, preserve and preach the one and same faith, and that they are all legitimate followers of the Apostles, in an effort to establish their authority and increase the status and validity of the decisions of the council. Their professed ultimate goal is to defend Jesus Christ, who stands in

³⁴⁸ ACO 1.1.3:55-56.

³⁴⁹ ACO 1.1.3:57.

³⁵⁰ ACO 1.1.3:57.

the middle of all these, represented through the Gospel-book, as a victim, head, judge, teacher and guide in these councils. These all are in line with Cyril's employment of the book in the midst of the council, as argued earlier,³⁵¹ to aid the "sacred ministers" to "judge a just judgement (κρίμα δίκαιον κρίνατε) (Zech. 7:9)" (E431, CV §118.18).³⁵² The same goal is again expressed here in the lips of the bishops who acclaim that Celestine's "is a just judgement (αὕτη δικάια κρίσις)".³⁵³

The aforementioned are probably enough to reveal how these people viewed the duty, purpose and operation of these councils, on one hand, and why Cyril placed the Gospel-book in their middle, on the other, using it as the best and most adequate physical means to indicate the presence of Jesus Christ, the personification of Truth, among them in the doctrinal issues and the judicial inquiries. Their effort is to establish their own orthodoxy, and thus gain the imperial support, by showing themselves as Christ's true disciples, defenders, preservers and preachers of his faith and of the truth, part of the one and continuous evangelic and apostolic tradition that in turn legitimised their own doctrinal and secular authority.

It is in this context that the Gospel-book's supreme authority emerges through its identification with Jesus Christ and its employment in the conciliar procedure. It is the only physical object used to manifest God's presence in the assembly, and the only object so closely linked to the truth. Again, the bishops employ Christ, through the book, to give authority to their decisions, present them as God-driven, and hence supremely authoritative and legitimate enough to earn the Emperor's support and activate his sanctions against the opponents of the council.

The self-understanding, operation and duty of the Church councils, on one hand, along with the linking and relation between faith and truth, on the other, have become evident thus far in the previous sections of this chapter. Similarly evident have become the role of Christ and the Gospel-book in the *conciliar process* as being the Truth and as guiding the participants of the councils to it. Yet, there is one more aspect of the book's authority that needs to be examined: its

³⁵¹ Ch.2.4.

³⁵² ACO 1.1.3:83.

³⁵³ ACO 1.1.3:57.

employment in the *judicial process* to bring the truth to light and to establish it in the council of Ephesus. This aspect gradually emerges in Ephesus and becomes more established in the councils after it.

3.2 THE ROLE OF JESUS CHRIST AND THE USE OF THE GOSPEL-BOOK IN THE EXTRACTION OF TRUTH IN THE JUDICIAL PROCESS

I have already shown how the council understood and proclaimed its role as a group of Christ's disciples who attempt to establish the true faith, protect it and communicate it to the rest of the Church. As I have also shown that central to this understanding becomes the placement of the Gospel-book in midst of the council to manifest the presence of Jesus Christ, the personification of Truth, in the council's pursuit to find the truth and establish it. In this sense, the Gospel-book bears a twofold identity: on one hand, it carries the truth/word of God and on the other is able to represent the Truth/Word of God.

Nevertheless, being the personification of Truth is one thing, yet extracting the truth is another. Through my analysis below, I aim to reveal another spiritual and practical dimension of the Gospel-book's supreme authority: that of being the most adequate truth-extracting "tool"³⁵⁴ in the judicial procedure of these councils. Yet, it is necessary to clarify straight from the beginning: this aspect of the book's authority and use in Ephesus is only secondary and still under development. It comes to the foreground only occasionally, as attested by the limited evidence found in only two meetings of the Cyrillian synod: the first session on 22 June, and another meeting held a few days later: on 26 June, as shown elsewhere.³⁵⁵ Both meetings were held before the arrival of the Papal delegates. From the second session of the council onwards, we do not encounter any other references to the Gospel-book.

Hence, in Ephesus, and more specifically in these two Cyrillian meetings, the main function of the book is that of representing Jesus Christ. The truth-extracting role and authority of the Gospel-book is witnessed more in some of the councils that followed, like the ones we will later examine in the *Acts of Chalcedon*. This

³⁵⁴ I put the word here in quotation marks to highlight its relative or conditional meaning, in the sense that it is difficult to describe as a "tool" an object that was seen as being God himself.

³⁵⁵ Ch.1.2.iii, Ch.3.2.ii.

supports further my argument that the introduction of the Gospel-book could be a Cyrillian innovation and that we witness its gradual formulation into a tradition that will be undertaken by the subsequent Church councils and the secular courts until today. For this reason, it is extremely important to examine the book's employment in the judicial procedure of Ephesus, so as to have a better understanding of the book's role and authority in the later councils.

i. The spiritual and theological dimension of employing Jesus Christ to bring the truth to light and legitimise decisions

JESUS CHRIST IS THE TRUTH AND THE LIGHT, AND BRINGS THE TRUTH TO LIGHT

The fourth session of Ephesus offers an excellent example of the spiritual and theological understanding of Christ's presence in the council from the aspect of aiding the clerics to bring the truth to light. The council has returned to the church of St Mary, this time with the Papal delegates, and has sent envoys to John thrice to deliver the synod's summonses. All three delegacies were abused by those around John, and upon returning to the synod they testified what had happened. Given the silence of the evidence, it is not clear whether their testimonies were given over the Gospel-book or not. Regardless of this though, the role of Christ remains lucid in the extraction of truth.

According to the words of Cyril of Alexandria, following the testimonies of the bishops:

"Our Lord Jesus Christ, who even now is present in the holy council, made clear to us the nature of the case, when he said, 'Everyone who does evil hates the light and does not come to the light, so as not to be examined for his deeds. (John 3:20)'" (E431, s.4, CV §89.10)³⁵⁶

Once again, we witness the same themes we saw earlier. Cyril emphasises not only Christ's presence in the council of Ephesus, but also his active participation in it by "making clear" to his followers "the nature of the case". In Christ's own words, as recorded by John the Evangelist and quoted by Cyril, the evil people and the wrongdoers are afraid of the light and try to hide themselves so that they

³⁵⁶ ACO 1.1.3:19-20.

avoid being examined, exposed and condemned. This is Cyril's strategy to bury any complaints against the canonicity of his actions by shifting the emphasis on John's refusal to attend and by portraying him as evil and unwilling to attend the Cyrillian synod not because he does not recognise its authority, but rather the opposite. For Cyril, John is fully aware of the synod's authority and legitimacy and he refuses to present himself before it because he is afraid that he will be condemned for his own "uncanonical" actions against Cyril and Memnon. And the selection of this scriptural passage by Cyril is anything but coincidental. It comes from a wider pericope in which Jesus talks to the Pharisee Nicodemus about the "Son of Man" and the "one and only Son" of God through whom the believers can earn the eternal life (John 3:13-16).

JESUS CHRIST THE SON OF MAN AND GOD, THE APOCALYPTIC JUDGE AND SAVIOUR OF THE WORLD

Furthermore, this pericope was chosen by Cyril not only because it refers to Jesus' "self-proclaimed"³⁵⁷ double nature as Son of Man and God, which Nestorius refused to accept and John of Antioch was unwilling to defend (according to Cyril), but it also gives us a judicial setting in which Jesus Christ is again the judge and his coming to this world is closely related to this quality. After all, the title "Son of Man" itself has a dual meaning. In the Christian understanding it is used to describe the human nature of Jesus Christ. In its Hebrew and apocalyptic understanding, though, it refers to the eschatological figure that will come at the end of history to signify God's judgement and the end of the world.³⁵⁸

In Christ's words, he was sent by God "not ... to condemn the world, but to save the world through him" and "Whoever believes in him is not condemned, but whoever does not believe stands condemned already because they have not believed

³⁵⁷ I put the "self-proclaimed" in quotation marks here for two reasons. Firstly, because in this pericope Jesus Christ does not directly proclaim that he is the Son of Man and the Son of God, even if this was the evangelist's understanding. Secondly, because it is not clear whether these words are said by Christ himself, or by John about Christ. According to the *New International Version*, some interpreters end the quotation with verse 15 and others extend it to verse 21. See fn. g15 here: <http://biblehub.com/niv/john/3.htm>, accessed 08/06/2013. Self-proclaimed or not though, it does not affect the portrayal of Jesus by the Gospels and its reference by Cyril here.

³⁵⁸ Daniel, ch. 7. McGrath, 2011:270. On the interpretation of the "Son of Man": Dunn, 2003:724-725; Burkett, 2000:3-5.

in the name of God's one and only Son" (John 3:17-18). Remarkably enough, this self-portrayal of Christ, employed by Cyril, is quite different to that used by Besa in his *Life of Shenoute* that we examined earlier,³⁵⁹ but it still preserves its main characteristics. Jesus Christ is still the omnipotent and almighty, supreme judge that is going to condemn and punish his opponents; only that this time the emphasis is not given on his just wrath and his punishment, as in Besa's narrative, but rather the opposite: he came here to save everyone, but it is his deniers (Nestorius and John of Antioch) that refuse to be saved by Christ due to their unwillingness to believe in him and be judged by him. John's pericope ends by linking the light to the truth and by reiterating that "whoever lives by the truth comes into the light, so that it may be seen plainly that what they have done has been done in the sight of God" (John 3:21).

So even though Cyril uses only a part (John 3:20) of the whole pericope (John 3:13-21), this part still bears all these extremely significant connotations that makes it easy to see how it fits the context of Ephesus. The theology of Christ being the Son of God and the Son of Man, but also the divine apocalyptic judge who is the Truth and brings the truth to light, is expressed through the physical manifestation of the Gospel-book in the middle of the assembly –at least in the Cyrillian sessions–, in a conciliar and judicial context in which he has been appointed as head and judge and is going to adjudicate and condemn those who deny him. What follows is hardly surprising, nor a stretch of the imagination.

CHRIST'S ENEMIES ARE AFRAID OF LIGHT AND JUDGEMENT, AND REFUSE TO APPEAR BEFORE HIM AND THE SYNOD TO AVOID GETTING EXPOSED; THEIR DECISIONS ARE INVALID

Having established this setting, Cyril attacks John of Antioch by constructing an image of John as an enemy of Christ. For Cyril, John is aware of his evilness and refuses to appear in front of the judge Christ and the synod for the fear of being exposed. Cyril's purpose, of course, is to use this construct to argue that John's decisions are "uncanonical" and hence invalid on the basis that an evil person, who does not believe in Christ and who is afraid of him, cannot have the right to be called follower of Christ and should not have the moral and legal right to take

³⁵⁹ Ch.2.1.

any ecclesiastical decisions against Christ's "true" disciples; that is those assembled in the Cyrillian synod.

More specifically, immediately after Cyril's claim that Jesus Christ clarified and revealed the truth to them that the evil ones hate the light and try to stay away from it so as not to be examined for their deeds, he accuses John of being "in this plight" and that this "now is utterly clear" to the assembled bishops. John's refusal to present himself in front of them is explained on the basis that he is "conscious that what he had done" against the Cyrillian synod was not "canonical and pleasing to God" and not "according to ecclesiastical law". He is "afraid" of the "council's hatred of wickedness" and he knows that he has "impiously and lawlessly wronged" the council. Consequently, he simply tries to "evade the penalty and censure most appropriate for him; for he hides his crimes, and is ashamed to reveal his lawlessness before his judges". With this justification, Cyril asks from the council to "declare here and now that [John's] outrages against [the council] have no validity" and he proposes to summon John again "because of his unholy misdeeds", so that he is "subjected to a lawful and most just verdict" from the council "on the basis of the canons" (E431, s.4, CV §89.10).³⁶⁰

The reason why John of Antioch is accused as acting against the canons is not only because he rejected the synod's summonses, but also because he condemned a council and bishops of a higher rank than his. John should be answerable to these bishops, as Juvenal of Jerusalem stated earlier:

"It was incumbent on John the most devout bishop of Antioch, out of respect for this holy, great and ecumenical council to come at once to answer the charges brought against him and to obey the apostolic see of God's holy church of Jerusalem, especially since it is the custom deriving from apostolic procedure and tradition for the see of Antioch to be directed and judged by it" (E431, s.4, CV §89.6).³⁶¹

³⁶⁰ ACO 1.1.3:19-20.

³⁶¹ ACO 1.1.3:18-19.

Right after Cyril's attack against John, Memnon of Ephesus, who was also condemned and deposed by the Johannine synod, follows the same line of argument. The *conciliabulum's* decisions were an "uncanonical judgement" and an "innovation and disregard of ecclesiastical law".³⁶² For this reason, the present council "summoned [John] canonically ... to answer for the offences committed by him against ecclesiastical law, or rather contrary to ecclesiastical procedure, and to render an account for his brazen disregard of the canons". John's refusal to account for his actions in front of the Cyrillian synod is portrayed once again as evidence of his "sick conscience" and therefore the council should "annul the lawless proceedings" of John's synod. Memnon also attacks the moral, theological and canonical consistency of John's synod in order to tar its legitimacy. He tries to debase them by arguing that it is a synod without significant, prestigious or authoritative support. It is a synod theologically and morally inferior, consisting of very few people who are "easy to number, of whom some are heretics, some are cityless"³⁶³, and others are liable to many charges".

As such the synod's proceedings "are null in themselves and invalid", since they were "perpetrated in contempt of canonical order". We see here that the rhetorical construction, according to which "evil" and "morally, ecclesiastically and theologically questionable" people cannot hold legitimate councils and produce legitimate and canonical decisions, is the same not only with Cyril's in the paragraph above³⁶⁴ but also with that of Cyril's letter of apology to the Emperor Theodosius II that we examined in the previous chapter.³⁶⁵ As a result, Memnon closes his statement by requesting from the council to annul John's decisions and to issue a decree that "acknowledges" his and Cyril's "constancy over the orthodox faith" that they all "received from the holy fathers" (E431, s.4, CV §89.11).³⁶⁶

³⁶² The "innovation" here is not a problem in itself, as is shown in the next paragraph. The problem is that it is not within the limits of the "ecclesiastical law".

³⁶³ Price translates the "τινές δε μηδέ πόλεις έχοντες" as "some are without sees", which is correct. However, I prefer here to translate as "cityless" (ἄπολις), precisely to show its derogatory meaning which does not simply indicate those who are ecclesiastically unworthy of having a diocese, but even worse those who are rejected by the society, that is the outlaws and banished, those without a country. "Ἀπολις", *GEL*, 1968:207; *PGL*, 1961:200.

³⁶⁴ Ch.3.2.i.

³⁶⁵ Ch.2.4.

³⁶⁶ ACO 1.1.3:20.

To Memnon's and Cyril's requests, the assembled bishops are shown to reply in unison and decree that John's actions and decisions have "no force or propriety", since they were done "uncanonically" as it was "demonstrated from the proceedings". They were "not valid from the first" and they were "conducted without canonical justification", so the council "declares them invalid, and that they cannot prejudice any of the persons wronged". According to the reasoning of the council, John's guilt is confirmed by the fact that if he was innocent and "the proceedings had followed any reasonable procedure", "he would have been confident to defend his innovations" (E431, s.4, CV §89.12).³⁶⁷ This last sentence reveals another aspect in the whole discussion of "truth", "orthodoxy", "tradition", "canonicity" and "validity", on one hand, versus "falsehood", "heresy" and a breach of tradition and canons that equals to invalidation, on the other. This is the aspect of "innovation".

THE VALIDITY OF INNOVATIONS

The phrasing of this sentence makes it quite plausible that the problem in John's case is not his "innovations" *per se*, but the fact that these "innovations" (τοις παρ' αὐτοῦ νεωτερισθεῖσιν) do not "follow any reasonable procedure" (εὐλογον ἀκολουθίαν). This reveals how these people felt that there was space for innovation in their decisions and actions, as long as this innovation served the established patristic tradition and ecclesiastical laws. Such an understanding makes even more plausible my argument on the "innovative" placement of the Gospel-book by Cyril in the middle of Ephesus; an innovation that later became the canon and a standard part of this conciliar and judicial tradition. If this innovation served the purpose of the council and did not go against its theology on the person of Jesus Christ, the bishops would not have any reason to oppose it.

Nevertheless, it is necessary to clarify here that this space for "innovation" in practice that serves the tradition and the council's theology does not clash with the firm rejection of any innovation on a doctrinal level and the faith delivered by

³⁶⁷ ACO 1.1.3:20.

Nicaea. On the contrary, it is rather confirmed by the fact that Ephesus felt that it had to find a new way to clarify the established doctrine and explain why and how Christ is one person divine and human and why Mary should be called *Theotokos*, even if these were not explicitly stated in the creed of Nicaea (325). In the same way the Gospel-book could be used as an innovative, yet acceptable, means to portray Christ's presence in the room, and his dual nature: material (human/flesh, parchment) and divine (Word/word of God).

THE COUNCIL SERVES ITS MISSION TO BRING THE TRUTH TO LIGHT AND COMMUNICATE IT TO THE WORLD

Finally, having pronounced its decree on the annulment of the decisions of John's synod and the approval of the orthodoxy of the Cyrillian side, the council closes this fourth session by announcing that it will summon John one last time, and if he fails to appear, the council "will decree in his case what the canons lay down", which in this case would be a deposition, given that disregarding three summonses was taken as acknowledgement of one's own guilt. The council also expresses the necessity to communicate its proceedings and decisions to the "most pious and Christ-loving emperors, so that nothing of the outrages perpetrated by John in contempt of the holy council will be unknown to them" (E431, s.4, CV §89.12).³⁶⁸

Once again, the self-proclaimed purpose of the council appears to have been served on the basis that with Jesus Christ as its head, the synod brought the truth to light, annulled anything uncanonical, defended Christ, the Church and the orthodox faith and tradition, and exposed Christ's enemies. These have to be conveyed to the Emperors, so as to fulfil the other aspect of the council's mission, that of "preaching" and "teaching" the truth, and also so as to persuade Theodosius II before John does, and have him ratify the council's decisions.

Consequently, it becomes evident how in this struggle for authority, legitimacy, validity and imperial confirmation, notions like "orthodoxy" and continuity of the evangelic, apostolic and patristic tradition, "majority", "canonicity" and "lawfulness", possession of episcopal office, "goodness", moral and theological quality and superiority, "innocence", "truth" and "light" are placed on one side. A side that has Jesus Christ, through the Gospel-book, with it and that is guided and

³⁶⁸ ACO 1.1.3:20-21.

influenced by him. On the other side stand his enemies and deniers, characterised by notions like "heresy", breaching of the apostolic tradition and the canons of the Church, "lawlessness" and "evilness", questionable and inferior morality and theology, "guiltiness", "falsehood" and "darkness". Through this construction, the self-proclaimed "defenders" and "followers" of Christ and supporters of his "truth" and "light" gain theological validity in their conciliar and judicial actions and decisions, and attempt to earn legal validity if they gain the support of the Emperor. On the other side, the "enemies" and "opponents" of Christ do not even dare to present themselves in front of him and the assembled bishops, because they are afraid of being judged and of having their "evil" actions revealed and themselves punished by Christ. These "heretics" have consciously put themselves against Christ and lost his support and any validity of their decisions. They should therefore not gain the Emperor's support or any legal validity, but on the contrary they should be punished for their "crimes" and be subjected to the imperial sanctions.

Having shown thus the spiritual and theological dimension of how Jesus Christ is understood to be the Truth and the Light and is able to bring the truth to light, I would like now to turn to the last part of this chapter in which I will examine how this understanding is put in practice in order to extract truthful testimonies from the witnesses through the Gospel-book. This dimension reveals once again another, more practical, aspect of the book's supreme authority which has been taken up by the councils and courts following Ephesus, like the Home Synod of 448, the Synod of Constantinople in 449, and the council of Chalcedon in 451, or the subsequent Ecumenical Councils of the East and the secular courts of the Empire. The *Acts of Chalcedon* offer plenty of evidence on the usage of the Gospel-book as the most adequate truth-extracting tool and they will be treated later in this thesis. The multitude of this evidence there makes it better for this function of the book to be fully examined at a later chapter (Ch.7), and not in the current one which deals with the *Acts of Ephesus*. The scarcity of evidence here allows us only a brief preliminary treatment of the topic. After all, we should always keep in mind that this is a practice gradually formed and established, and as such it has its own unique value to witness the birth of this practice.

ii. The practical dimension of the authority of the Gospel-book as the most adequate object to bring the truth to light and guarantee truthful testimonies

The supreme authority and role of the Gospel-book for the Cyrillians has been established thus far based on its identification with Jesus Christ in their sessions of Ephesus. It is Christ, through the Gospel-book, who is the supreme judge and president in the synod. His judgement is final and his penalties affect the condemned both spiritually and physically, in this and the divine sphere. But the Gospel-book does not only play the role of the judge and president; it also plays the role of the head of the assembled bishops who represent the Church. It is there to guide them and urge them, to influence them and enlighten them to reach the right, God-pleasing decision. It is placed in the middle of the council, not simply as an indication of honour, but mainly so that it is clearly manifested to everyone that Jesus Christ is with them and that everything that happens in the council happens in front of God himself. The bishops' role is to subject themselves to the supreme authority of the Gospel-book and prove themselves to be true followers and students of Christ. As such, they have to discover and reveal the true faith and teaching of the Gospels, the apostles and the fathers of Nicaea, preserve and protect the true doctrine and the orthodoxy, confirm³⁶⁹ and reaffirm it, and then communicate it to the Emperors and the rest of the Church. Jesus Christ is the Truth and the Light personified, and the Gospel-book stands in the midst of the assembly like a shining beacon, helping the bishops to find the truth and keep themselves on the right path that Christ taught. All these roles are fairly impressive for an object that bears spiritual authority as a physical object *per se*, and not thanks to its content (i.e. the Scriptures).

But this truth does not come to this world or exists in it detached from the things, the people and the reality around it. Its core may always remain the same, in the sense that God is always the Truth, but it is often concealed, and so it has to be brought to light. In the first session of Ephesus, the most powerful and authoritative object for this role is the Gospel-book, precisely because it combines all of the aforementioned elements. This is why it is used by Cyril in the course of the conciliar and judicial procedure to affect the witnesses and guarantee that they will give truthful testimonies by having them stand before the Gospel-book and occasionally swear an oath on it.

³⁶⁹ On the purpose of the council, according to the imperial orders, being the confirmation of faith (τὴν περὶ τῆς πίστεως βεβαίωσιν ποιήσασθαι), indicatively: E431, s.1, CV §39, ACO 1.1.2:10.

THE EVENTS AND THE PROCEDURE OF THE FIRST SESSION OF EPHESUS

As discussed elsewhere, Cyril opened the council of Ephesus prematurely and enthroned the Gospel-book in its midst to signify Christ's presence and presidency over the assembly.³⁷⁰ For canonical reasons³⁷¹ and obeying the imperial orders³⁷², three delegacies of bishops were sent to deliver the necessary three summonses to Nestorius. All their efforts stumbled upon the soldiers guarding Nestorius' residence. Upon returning to the council the bishops testify their experiences. Given Nestorius' refusal to present himself before the council, the synod proceeds without him in the examination of evidence, even though they could have condemned him simply for ignoring the three summonses.³⁷³ The bishops have the Nicene Creed read, and compare Cyril's letters to the Nicene doctrines, and then Nestorius' faith to Cyril's. Nestorius is anathematised by the synod. Celestine's letter to Nestorius is read. Two more bishops (Theodotus and Acacius) are summoned to testify what they heard from Nestorius a few days ago. Then a *florilegium* of Fathers is read along with Nestorius' *Quaternia*,³⁷⁴ and a letter from the absent Capreolus of Carthage urging the council to confirm "the ancient doctrines of the faith". The first session concludes with the Cyrillians pronouncing

³⁷⁰ Ch.2.

³⁷¹ The defendant should be summoned up to three times to take the opportunity to defend himself before the synod. If he ignored the three summonses, this was taken as an admission of guilt and he was condemned, as the case of Dioscorus in the third session of Chalcedon shows (CHA. s.3; ACCh.1:45; 2:29,32). On the other hand, if the council omitted the conveyance of the summonses or did not give the accused the opportunity to defend himself, then its decisions could be annulled, as happened in the cases of Theodoret, Ibas, Domnus and the other bishops that were condemned by Ephesus II and acquitted in Chalcedon (CHA. s.1, §24; s.10, §1; ACCh.1:34,132-133; 2:273). Equally risky were the decisions of a council, if it summoned the defendant, but did not give him the opportunity to speak and defend himself, even if he was present in the council. Example of such a trial was Ephesus II where Flavian and Eusebius were not given the opportunity to defend themselves (CHA. s.1, §336; also E449, CHA. s.1, §868-871; ACCh.1:195,272).

³⁷² When convoking the council, Theodosius II requested all sides to appear, or at least be represented, and participate in the proceedings.

³⁷³ It is possible that Cyril did this for two reasons: firstly, so as to show that the trial was "impartial" and "properly" conducted, since it went all the way through the evidence and did not just condemn Nestorius on the basis of his absence, as for example happened with Dioscorus in Chalcedon. Secondly, because it is probable that a condemnation of Nestorius as a "heretic" would be stronger, more solid and not as easily disregarded or annulled by the Emperor, as would be a condemnation for ignoring the three summonses, especially given the whole fierce debate around the synod about its legitimacy and validity, as shown by Nestorius' refusal to attend the meeting, and the Antiochenes' and secular officials' opposition against it during and after the council. This effort to secure Nestorius' condemnation even further can also be seen in Graumann, 2007:110-113.

³⁷⁴ The reversed order of reading first the Fathers' *florilegium* and then Nestorius' *Quaternia* is for Graumann another example of the flexibility of the judicial procedure of the council in order to serve the doctrinal procedure. Graumann, 2007:110,112; 2002:385-393.

a verdict on Nestorius deposing him and excommunicating him, and 197 bishops signing this decision attributing it to Jesus Christ, as I analysed earlier.

In all these events, the Gospel-book remains enthroned in the middle of the room. But it lies there silent in the background without the minutes clearly referring to it. We have testimonies of bishops of the three delegacies sent to Nestorius given in the middle of the room,³⁷⁵ and hence probably over or near the Gospel-book; but the evidence is not clear whether they touch the book or swear an oath on it before their testimonies. Nevertheless, regardless of the question of the physical contact with the Gospel-book, the book is always there to manifest Jesus Christ and remind them that all their testimonies are given before the supreme judge and president of the council, the head of the assembly and the personification of Truth. It is also there to influence the "true disciples"³⁷⁶ (here the Cyrillian bishops) to speak the truth and be guided by Christ to reach a "truthful", "orthodox" and "pious" decision through the conciliar process. These aspects, as argued elsewhere,³⁷⁷ reveal the book's supreme authority. Another aspect of this authority is its truth-extracting role in the judicial process. This aspect is clearly attested once in the first session of the council, and once more in the session of 26 June.

In the first session of the Cyrillian synod, Fidus of Joppa requests from Cyril to summon bishops Acacius of Melitene and Theodotus of Ancyra, in order to confirm the testimonies of the bishops before them (i.e. Theopemptus and Daniel) and affirm that Nestorius continued to teach his own doctrines, despite the advisory and warning letters he received from Celestine and Cyril. As Fidus says, these bishops had recently visited Nestorius (on 19 June) and had "held discussions with him, to the extent that these could have been a real danger for someone". This statement is in line with what I have argued elsewhere,³⁷⁸ that the council felt that it was its responsibility to bring the truth to light and clarify the orthodoxy, so as

³⁷⁵ This was after all the practice and setting of Chalcedon where everyone was sitting around the Gospel-book.

³⁷⁶ By "true disciples", I refer to the way the participants of the council viewed and grouped those who acclaimed Christ as their God, acknowledged his presence in the Gospel-book and subjected themselves to its supreme authority, as people who love the truth and the light, and as such who are pious and orthodox, and distinguished themselves from the "heretics" and the "haters of truth and light".

³⁷⁷ Ch.3.2.

³⁷⁸ Ch.3.

to protect the less theologically advanced from heresy. So Fidus summons bishops Acacius and Theodotus with the following words:

“We [the council] summon and conjure them by the holy gospels set here before [us] [and] on the faithfulness of the minutes say what they heard three days ago from Nestorius himself.” (E431, s.1, CV §51).³⁷⁹

Fidus’ request is approved by Cyril, who highlights the importance of these specific testimonies and the necessity to be given with an oath over the Gospel-book, since the issue at stake is not trivial, but the most important of all:

“Since our discussion is not on accidental points but about a matter of more capital importance than anything, I mean the Christian faith, it is fitting that the most devout and in all respects most God-beloved bishops Theodotus and Acacius, according to the urging of the most devout bishop Fidus and the oaths placed upon them, since they are holy and lovers of the truth, relate what they heard him say in the city of Ephesus, when they initiated discussion with him over the orthodox faith.” (E431, s.1, CV §52).³⁸⁰

Then the two bishops Theodotus and Acacius approach the centre of the room and emphasise how this request by Fidus and Cyril is justified and highlights the necessity to speak the truth. Again we see how all sides highlight the importance of the instance through similar statements that revolve around the establishment of the truth and the orthodox faith. Theodotus is the first to testify in the following words:

“I am pained on behalf of a friend, but I honour piety more than all friendship. Therefore I have the need, although with great regret on the matters I am being asked about, to speak the truth. I do not think there is need for our testimony, since his beliefs are clear from the letter to your religiousness.” (E431, s.1, CV §53).³⁸¹

³⁷⁹ ACO 1.1.2:37.

³⁸⁰ ACO 1.1.2:37-38.

³⁸¹ ACO 1.1.2:38.

Theodotus' emphasis is given on the fact that Nestorius does not acknowledge Christ as God incarnate, since according to the archbishop of Constantinople "one should not attribute to God being fed with milk or born from a virgin" and that "[an infant] two or three months old should not be called God" (E431, s.1, CV §53). Here becomes apparent the reason for the highlighted emphasis on the Gospel-book: the bishops are asked to confirm before Christ himself that Nestorius does not acknowledge Him as God. This is a clear attempt by Fidus and Cyril to give a special psychological, mental and emotional weight to the scene and ensure that the bishops will speak the truth in the name of Christ standing before them.

Acacius' testimony follows the same line: truth and faith stand above everything, so he will speak the truth to save his soul from getting condemned by Christ:³⁸²

"Since the faith is in question and piety towards God, it is necessary to set aside every predisposition. Consequently, even though I had great love for the lord Nestorius, more than for others, and in every way I tried to save him, it is now necessary through a love of the truth to recount what he has said, so that my soul will not be condemned for hiding the truth." (E431, s.1, CV §53).³⁸³

Acacius' account of Nestorius' views also follows a similar pattern like Theodotus' with an emphasis on the "true" faith and the need to acknowledge the divinity of Christ. His discussions with Nestorius lasted "ten or twelve days" and made Acacius "realize that [Nestorius] held unorthodox beliefs". And even though Acacius "championed the true account" and "endeavoured in every way to get him to amend and renounce his pernicious beliefs", he "witnessed [Nestorius] oppose it" and "fall into two absurdities at the same time". Because according to Acacius, Nestorius was requesting from him "either to deny altogether that the Godhead of the Only-begotten had become man or to acknowledge that the Godhead of the Father and that of the Holy Spirit had become flesh together with the Word". Nestorius was also claiming that "the Son who underwent the suffering was a different person from God the Word". All these made Acacius realise once again that Nestorius had "a false

³⁸² For the Gospel-book instilling fear in the participants of the councils: Ch.7.4.

³⁸³ ACO 1.1.2:38.

understanding that contradicted the pious faith" and that his doctrines were "impious". So Acacius, "being unable to endure this blasphemy" decided to leave Nestorius and those with him who "accused the Jews of impiety not towards God but towards a man" (E431, s.1, CV §53).

After the testimonies of the bishops Theodotus and Acacius and their presentation of the faith of Nestorius (again with a special emphasis on notions like "orthodoxy", "truth", "piety" and their opposites), another bishop, Flavian of Philippi, is recorded to have spoken and approve that "the testimony of ... Theodotus and Acacius is clear" to indicate that the truth was brought to light and nothing was hidden. He also requests that "the beliefs held on the present topic by our blessed fathers and bishops be read out and inserted in the minutes.'" (E431, s.1, CV §53).

Consequently, the reason for the highlighted reference to the Gospel-book in the midst of the first session of Ephesus becomes apparent. A reason closely related to the truth, its extraction from the witnesses with the help of the Gospel-book (E431, s.1, CV §51-52), and the book's effect on them to achieve the desired outcome (E431, s.1, CV §53). A reason that is in line with every other aspect of the book's role and authority as Jesus Christ, the supreme judge, president and head/guide of the Cyrillian assembly; along, of course, with the book's usefulness as a powerful tool in the hands of Cyril, who most probably was the first to introduce such an employment of the book in a conciliar-judicial context. Nevertheless, there is still one aspect that needs to be further analysed: that of the employment of the book in the truth-extracting process and its use as a guarantor of a truthful testimony.

THE TRUTH-EXTRACTION PROCESS AND THE GUARANTORS OF TRUTHFUL TESTIMONIES

Examining Fidus' request, two elements appear to be highlighted as reminders to the witnesses that their testimonies must be truthful: the divine factor, on one hand, and the human factor on the other. The first and most important element, as attested by the syntax of the sentence and for reasons that I will analyse later, is the request the testimony to be given under oath "by the holy gospels set here

before [the council]". This appeal reveals another aspect of the Gospel-book's authority, that of the best and most authoritative tool to extract truthful testimonies. The second element is what Price also highlights in his unpublished translation of the *Acts of Ephesus*: the fact that the bishops' words "are to be recorded verbatim in the minutes" (i.e. "the faithfulness of the minutes" / "ἐπὶ τῆς πίστεως τῶν ὑπομνημάτων").

These two elements serve the necessity for extracting truthful testimonies in Ephesus and they appeal on two different, yet interconnected spheres and realities: the "faithfulness of the minutes" refers to the secular sphere and its secular consequences, while the reference to the "the holy gospels set here before us" appeals to the religious and divine sphere and the consequences there. However, at the same time, even though only the latter has consequences that transcend this world, both appeals have effects on the human world. In this sense, even though both the verbatim recording of the minutes and the presence of the Gospel-book act as tools or intimidating "warnings" that ensure the veracity of the testimonies, the latter's authority is superior because its effects cover both the human and the divine sphere. All these will be analysed below, in order to establish once again the gradually developing and turning into supreme authority of the Gospel-book, this time as a truth-extracting tool. My analysis will proceed from the more "tangible" and "one-dimensional" tool (i.e. one that affects only the human reality), that of the accuracy of the minutes, to the more "theological", "two-dimensional" and authoritative tool, that is the Gospel-book.

Meanwhile, there is one more thing that needs to be explicitly clarified here, and that we need to keep in mind as a background to this analysis: in the secular judicial procedure of the time, the outcome of a trial was heavily dependent on the evidence and the proof that each side was able to present in the court. A proper and well-defined procedure had also to be followed in every stage of the trial, from the summoning of all parties (i.e. accuser, defendant, and their advocates) to the eligibility and presentation of the evidence. The judge was the supreme authority in the court controlling this procedure. In some cases he had unlimited authority to even use torture to extract evidence from the witnesses or a confession from the accused. Such cases were when the subject belonged to the class of "humiliores" and there were no other means to prove the guilt of the

accused.³⁸⁴ However, despite his supreme authority in the court, the judge was also liable to penalties from his administrative superiors (including the Emperor) in case it was proven that the judge was not impartial in his judgement and that he did not follow the proper procedure.³⁸⁵

As I said in the introduction of my thesis, it is widely accepted by modern scholarship that the church councils of this period had structured their judicial procedure on the process of the secular courts and adapted it accordingly.³⁸⁶ What we see in the councils under examination (i.e. that in the *Acts of Ephesus* and those in the *Acts of Chalcedon*) is precisely this process: the role of the supreme judge is assumed by Jesus Christ represented through the Gospel-book and acting through the bishops, as we saw above; the role of the accuser is also appointed to Jesus Christ and is expressed through the bishops, again as analysed earlier; oral and written evidence has to be presented by all parties and examined by the judge(s) before they come to a decision, pronounce a verdict and impose a penalty.

However, the use of means of torture in order to extract such evidence or achieve a confession in these councils was forbidden in most of these cases due to the class of the witnesses. The vast majority in the councils under examination were clerics from the rank of priest and upwards. These people belonged to the special, respectable and authoritative elite class of "honestiores" which had significant rights and privileges and that were exempted from torture.³⁸⁷ So the whole "game" in these councils was played at the level of written and oral evidence that should be presented in the process, as well as the "control" or "manipulation" of this process by the setting up of the composition of the body of the judges; along, of course, with any "extra-judicial" means and tactics that were employed, like gaining the support of the palace and the emperor. After all, at the very end, it was the Emperor who had to ratify the decisions of a council and activate the

³⁸⁴ Mousourakis, 2007:176-178,255⁶⁶.

³⁸⁵ Kaser, 1966; Wenger, 1925; Biondi, 1954; Silving, 1964; Mousourakis, 2007; Metzger, 2004:243-276; 2013:1-30; Seidl, 1933.2:48-52; Kuttner, 1931.

³⁸⁶ *ACCh*.1:78; Humfress, 2007b; 2011; 2010; 2007a; 2008; Graumann, 2007; Sieben, 1979; Hess, 2002; Chrysos, 1990:88.

³⁸⁷ Mousourakis, 2007:176-178,255-256⁶⁷. For further on the "honestiores" and "humiliores" and the distinction between them: *DigJ* 48.2.10 by the 3rd cent. jurist Aurelius Hermogenianus, *Epitomes of Law* 6, Watson, 2011.4:312; *DigJ* 48.19.28 by the 2nd cent. jurist Callistratus, *On Judicial Inquiries* 4, Watson, 2011.4; *DigJ* 50.2.2.2 by the 3rd cent. jurist Domitius Ulpianus, *Disputations* 1, Watson, 2011.4; *Sent.* 5.4.10 by the 3rd cent. jurist Julius Paulus Prudentissimus, *Sententiae*, Scott.13; Brissaud, 2001:46.

secular mechanism to enforce the decision throughout the empire. And it is the presentation of this very evidence by the witnesses that has to be bound to the truthfulness, so that in turn can be used in order to bring the truth to light. This truth and truthfulness, notions, values and principles closely related to Jesus Christ and the Gospel-book, as we saw earlier, is what validates or disqualifies the evidence that eventually plays a decisive role in the final outcome of the council. It is in this sense and through this procedure that the supreme authority of the Gospel-book emerges once again, this time as the best and most trustworthy truth-extracting tool at the disposal of these councils.

The verbatim recording of testimonies as a means to ensure veracity

As I said in the introduction of this section, there are two factors that push the bishops to speak the truth, a human/secular and a divine/spiritual: the former, that was already established in the secular courts and gradually introduced to the Church councils, is the verbatim recording of testimonies; the latter, which is only now being born in the Church councils and most probably the secular courts, as argued in the first chapter of my thesis, is the testimony of the witnesses being given before Christ under the risk of suffering punishment in this and the eternal life in case of perjury.

Starting with the former, Fidus reminds the bishops that their testimonies are being recorded verbatim and as such they must be truthful. This serves as a more practical warning to the bishops on the consequences of their actions at a secular level. They are reminded that what they will testify will not only be written down in the course of the procedure, but that it will be also kept as a record of what led the council to a specific decision (e.g. the condemnation of Nestorius). So, if at a later point anyone questions the decision of the council, these minutes can be retrieved and used to serve as proof of the witnesses' words. If they are found to be false, then the witnesses will be punished according to the secular laws of the empire; and even though the punishment for false testimony in the fifth century was not as severe as in the early Roman Law –when the Twelve Tables mandated that the false witnesses should be thrown from the Capitoline hill (Tarpeius Mons)³⁸⁸– it was still severe enough to act as a deterrent. Consequently, it is

³⁸⁸ Silving, 1959:1384; Kuttner, 1931:5,11; Bechor, 2011:356. For Tarpeius Mons identified as Capitoline hill: Platner, 1929:509-510.

worth examining what would be the secular consequences in the case of false testimony both for the judicial decision and for the witnesses themselves.³⁸⁹

First of all, the judicial decisions of the council could be annulled. According to an edict issued in 382 by the emperors Gratian, Valentinian and Theodosius I, "if [someone] is later found to be a false procurator,³⁹⁰ the controversy is customarily not stated by counsel for the parties, nor can the trial proceed" (*CJ* 2.12.24; see also *CTh* 2.12.3).³⁹¹ The same law was phrased much later in the ninth-century law collection *Basilika* as "if he is found to be a false procurator (one without authority), the trial will be null and void" (*Bas* 8.2.98; see also *Bas* 60.33.30).³⁹²

Secondly, not only the trial would be recognised as misconducted, but also the false witnesses were to be punished with "infamy" (*infamia*).³⁹³ According to a fourth-century law of Emperor Julian: "A man is marked with infamy who ... is pronounced in a criminal trial to have committed any act by way of false accusation" (*DigJ* 3.2.1; see also *CJ* 2.11-12).³⁹⁴ Such a penalty resulted in the loss of certain political rights and the degrading of the culprits from the status of "honestiores", in which the upper classes and persons with significant authority, privileges and rights belonged,³⁹⁵ to the class of "aerarii", that is a class with no authority and limited public rights.³⁹⁶ Those marked as "infamous" had to be removed from positions of honour (*CJ* 10.32.8),³⁹⁷ could not act as judges, referees or advocates (*DigJ* 3.1.1.8; *DigJ* 1.9.2),³⁹⁸ they had no right to act as prosecutors

³⁸⁹ For the reasons of verbatim transcription during interrogation in the Roman courts: Harries, 1999:110.

³⁹⁰ The "procurators" were agents with authority, while the "false procurators" were people without such authority: Blume: *CJ* 2.12 headnote.

³⁹¹ Blume: *CJ* 2.12.24; *CTh* 2.12.3, Pharr:47.

³⁹² Blume: *CJ* 2.12.24 note. For *Bas* 60.33.30: *CJ* 9.2.17 note.

³⁹³ Blume: *CJ* 9.46.10 note.

³⁹⁴ *DigJ* 3.2.1, Julianus, *Edict* 1, Monro.1:144-145; Blume: *CJ* 2.11, *CJ* 2.12 and headnotes. "Infamia", *DGRA*, 1875:634-636.

³⁹⁵ In this class belonged the bishops and generally clerics from priest and upwards, senators and equestrian nobles, higher government officials, soldiers and veterans. An example of a privilege that we saw earlier was that the "honestiores" were exempt from torturing when interrogated. Mousourakis, 2007:176-178.

³⁹⁶ "Infamia", *DGRA*, 1875:634-636; Buckland, 1921:92-93. "Aerarii", *EB*.1:259; Greenidge, 1894:21; Belot, 1866:200; Pardon, 1853; Willems, 1883:126-130.

³⁹⁷ Issued by the Emperors Diocletian and Maximian in 293; Blume: *CJ* 10.32.8.

³⁹⁸ *DigJ* 3.1.1.8 by the 3rd cent. jurist Domitius Ulpianus, *Edict* 6, Monro.1:139-142; Blume: *CJ* 2.6 headnote; *DigJ* 1.9.2 by the 2nd cent. jurist Ulpianus Marcellus, *Digest* 3, Monro.1:42.

(*DigJ* 48.2.8),³⁹⁹ they were treated as incompetent to testify (*DigJ* 22.5.3.5; *DigJ* 1.9.2),⁴⁰⁰ and finally they were punished more severely when found guilty in criminal cases (*DigJ* 48.19.28.16).⁴⁰¹

But the consequences of a false testimony were not limited to the annulment of the trial and the marking of the false witnesses as "infamous". They were also to be followed by the penalty of retaliation (*talio*). As the Emperors Honorius and Theodosius II, influenced by a law of Constantine in 319 (*CJ* 9.12.7),⁴⁰² had constituted in 423: "false accusation will not go unpunished, since equality of penalty demands that false accusers should be visited with an avenging punishment" (*CJ* 9.2.17; also *CJ* 9.46.10).⁴⁰³ In other words, the false witnesses would be punished with the same punishment that the falsely accused would originally receive. I think that it can be fairly assumed that in the case of bishops, such a punishment could be their deposition, the loss of their episcopal rank and their diocese (consequences also incurred by "infamia" alone), as well as their excommunication from the Church and the loss of financial resources and properties, as was accustomed in such cases. An example of this was Nestorius, who was excommunicated, deposed, degraded and was later exiled to a monastery in Egypt.⁴⁰⁴ Consequently, as is understood, the secular consequences of a false testimony in a court were significant and could in no way be overseen; hence the reminder of Fidus of Joppa to the summoned bishops Acacius and Theodotus about the "faithfulness of the minutes" and the need to stick to veracity, since their testimonies would be recorded verbatim.

³⁹⁹ *DigJ* 48.2.8 by the 3rd cent. jurist Aemilius Macer, *Criminal Proceedings* 2, Watson, 2011.4:312.

⁴⁰⁰ *DigJ* 22.5.3.5 by the 3rd cent. jurist Callistratus, *Cognitiones* 4, Watson, 2011.2:193; *DigJ* 1.9.2 by the 2nd cent. jurist Ulpianus Marcellus, *Digest* 3, Monro.1:42. Interestingly enough, in 531 and precisely a century after Ephesus I, the emperor Justinian removed also from the heretics the right to testify against the orthodox Christians: Blume: *CJ* 1.5.21.

⁴⁰¹ *DigJ* 48.19.28.16 by the 3rd cent. jurist Callistratus, *Judicial Examinations* 6, Watson, 2011.4:359-368. On all of the above: Blume: *CJ* 2.11 headnote.

⁴⁰² Blume: *CJ* 9.12.7.

⁴⁰³ Blume: *CJ* 9.2.17; *CJ* 9.46.10. According to Blume, the penalty of retaliation (*talio*) as principle had long been known, even before Constantine, who yet was the one to issue it as a law. Blume: *CJ* 9.46.10.

⁴⁰⁴ Similar was the punishment of Dioscorus of Alexandria in Chalcedon, who was also deposed and excommunicated, even though for a different reason, since Dioscorus was condemned for ignoring the threefold summonses, while Nestorius was condemned as a heretic. *ACCh.*1:45,58; 2:31⁷. The penalty of deposition and excommunication was also casted upon Cyril and Memnon by John's conciliabulum, as we have seen above (E431, s.4 CV §89.7-9), *ACO* 1.1.3:19.

This was indeed a very useful reminder, especially if we consider the fact that they were probably not accustomed to do so, since we have no evidence that a similar “accurate” recording of the testimonies and the proceedings took place in Nicaea (325), Constantinople I (381) or other councils and secular institutions of the time.⁴⁰⁵ As a matter of fact, it is very probable that the exact opposite was happening: the absence of detailed *Acta* from these two councils can be interpreted as an intentional attempt by the Emperors to conceal the doctrinal disputes and disagreements and focus only on the conciliar decisions under the mask of a complete “consensus of the Fathers”.⁴⁰⁶ As for the secular institutions of the Roman Empire, like the Senate and the courts, it was extremely rare for their proceedings to be recorded verbatim and whatever information we have from them comes from much later reconstructions of the events.⁴⁰⁷ However, in Ephesus, and the councils that followed, we have what Price rightly identifies as an expression of a “late-antique obsession with textuality” according to which the more detailed and close to the reality a written recording of an event was, the greater authority and legitimacy it had.⁴⁰⁸

Nevertheless, aside from this “general” authority that this incident has, emerging from the fact that the testimonies of Acacius and Theodotus are to be recorded verbatim, it does not have any “particular” authority in comparison to the authority of the other testimonies in the first session of Ephesus I. What I mean here is that all of them were recorded verbatim, so all of them shared the same “general” authority without any differences between them. As such, Fidus’ statement on the verbatim recording of their testimonies can only serve as a mere reminder of the “general” procedure and not as a highlighted incident with special authority.

To my understanding, the most important element in this appeal for veracity is Fidus’ request to Cyril that these testimonies should be given under oath and over

⁴⁰⁵ Just to clarify that what I try to highlight here as a possible innovation in Ephesus is the “verbatim” recording of the testimonies, and not the keeping of minutes itself, since the latter was an already established practice as evidenced by the existence of the profession of note-keepers, and also by the fact that when the bishops sent to summon John of Antioch learnt that they had been deposed by John’s conciliabulum, they requested “more precise information” on “who had deposed and excommunicated [them]”, to which request they received the reply that “We would not refuse to provide it if the keepers of the records were present” and that “We are clerics and not the keepers of the records” (E431, s.4 CV §89.7-9), *ACO* 1.1.3:19.

⁴⁰⁶ On achieving this artificial “consensus”: Price, 2011b:92-106.

⁴⁰⁷ *ACCh*.1:1³.

⁴⁰⁸ *ACCh*.1:2.

the Gospel-book. As argued elsewhere, this is the first and only time in Ephesus, and most probably the first time in the history of the conciliar and judicial procedure,⁴⁰⁹ that we witness the combination of the Gospel-book and the oath in order to extract a truthful testimony. This combined use is not recorded in the other testimonies given by witnesses in this first session, nor in any other sessions of the council.⁴¹⁰ Yet, in this combined use the emphasis falls on the Gospel-book as a guarantor of truthful testimony and not on the oath itself that has only a supporting role to the function performed by the book, that of bringing the truth to light.

The use of the Gospel-book as a truth-extracting tool in the Cyrillian sessions of Ephesus

In Chapter 1, I presented the temporal, secular and religious, judicial and conciliar surroundings of Ephesus, mainly with a focus on the oath, the sacred objects, the truth and its extraction. There I hopefully established the possibility that not only the introduction of the Gospel-book in the conciliar, judicial and secular assemblies of the time was most probably Cyril's innovation, but also that the identification of the Gospel-book with Jesus Christ should not be taken for granted before Ephesus. Aside from these, I evidenced that we should also not take for granted the swearing of oaths on the Gospel-book in the conciliar/judicial context in particular, or the obligation of witnesses to swear an oath before their testimonies in general. As we also should not take for granted that the testimonies of the bishops before Acacius and Theodotus were conducted under a testimonial oath in the first session. Consequently, it becomes extremely interesting to examine and analyse what is the role and the authority of the Gospel-book here, what is the role of the oath, what was the purpose and the intended outcome for the employment of both (especially in relation to the profession of the witnesses); as well as: how they were understood to affect the witnesses, why this practice is highlighted in the *Acts of Ephesus* and eventually, why the Gospel-book prevailed in the centre of the councils that followed and was then transferred in secular courts of the empire as the most adequate object to extract truthful testimonies.

⁴⁰⁹ For my argument on the innovation of the use of the Gospel-book to extract truth in the course of the conciliar-judicial procedure: Ch.1.

⁴¹⁰ Again it is necessary to clarify that my emphasis here lies on the unique combination of the Gospel-book and the oath in Ephesus, and not the use of the Gospel-book in the truth-extracting process, which is something also confirmed by Memnon of Ephesus when he refers to the testimonies of the bishops that visited John of Antioch in the session of 26 June.

THE REASON FOR THE EMPLOYMENT OF THE GOSPEL-BOOK: THE ESTABLISHMENT OF THE TRUTH IN MATTERS OF FAITH

Starting from the reason for the joint employment of the Gospel-book and the oath, according to the words of Cyril, it is because the "discussion is not on accidental points but about a matter of more capital importance than anything, I mean the Christian faith ... since they are holy and lovers of the truth, relate what they heard him ... when they initiated discussion with him over the orthodox faith" (E431, s.1, CV §52).⁴¹¹ This proclamation is in accordance with the self-understanding the council had about its role, its function and its goal, which is closely related, as we have seen above, to the placement of Jesus Christ and the Gospel-book in the middle of the assembly. The Cyrillians use the Gospel-book throughout the whole procedure, sometimes more actively and others more passively in order to establish the truth and the orthodox faith, protect them and then profess them to the other members of the Church. The placement of the book by Cyril has already created an atmosphere of divine judgement against Nestorius and every other "heretic" and "hater" of the truth. Christ's judgement affects the fate, the status and well-being of the culprits in this life and the afterlife, as argued elsewhere.⁴¹² The employment of the Gospel-book is seen as the best expression of the combination of all these elements that are necessary to fully understand this incident in the first session: the book is the Son of God, the supreme judge and president of the council, the personification of truth, the bringer of truth to light, the keeper of the orthodox faith, around whom the bishops are assembled and with the help of whom they try to establish the truth, protect it and communicate it. Once again, it is extremely important to realise that the authority of the Gospel-book lies in the object itself and not in its content. The bishops use the book as an object and symbol of Christ to establish the truth; they do not focus on the Scriptures to establish this truth, as they would if they examined Nestorius' doctrines in comparison to scriptural passages. For this examination, they rely on the interpretation of the Scriptures by Cyril, Celestine and the authoritative Church writers of the past; they do not revisit the Scriptures. In this sense, the Gospel-book loses its primary function and utility, that of being something whose content should be read, and changes completely its identity and quality to being the most authoritative symbol and object of the council.

⁴¹¹ ACO 1.1.2:37-38.

⁴¹² Ch.1.4.iv, Ch.2.1.iii, Ch.3.2, Ch.4.1.iii, Ch.6.1, Ch.6.2.iii,viii, Ch.7.1.i, Ch.7.2.i.

Consequently, as such, the Gospel-book becomes the object that serves as the best, most adequate and authoritative tool to guarantee the truthfulness, not only of the testimonies, but also of the discussions between the bishops. It guarantees that through this procedure that is closely related to the book, the truth will be revealed in every doctrinal and also factual aspect. This is one of the reasons why Cyril places it in the middle; this is also its function and its authority; this is the reason why its presence is highlighted in the *Acts of Ephesus* here, but also in the *Acts of Chalcedon* and the courts and councils after the sixth century.

THE REQUEST FOR A TESTIMONIAL OATH TO BE GIVEN BY THE BISHOPS

However, in this particular incident the book is used alongside the oath. Therefore, it is necessary to examine the purpose and the function for this employment, especially in relation to the extraction of truth and the authority of the Gospel-book.

Cyril invites bishops Acacius and Theodotus to come forward and testify “according to the urging of the most devout bishop Fidus and the oaths placed upon them” (E431, s.1, CV §52).⁴¹³ In doing so, he fulfils Fidus’ request that the bishops testify under oath on the Gospel-book. At this point, although it is unclear whether in Joppa, unlike other parts of the Empire (e.g. Antioch),⁴¹⁴ it was acceptable for clerics to affirm the truth by swearing an oath on the Gospel-book conciliarly or extra-conciliarly, Fidus definitely stands out as the originator of the practice in Ephesus, and possibly in the history of the judicial and conciliar procedure. In other words, to my understanding, it is Cyril who enthrones the Gospel-book as Jesus Christ in the middle of the conciliar procedure and has witnesses testify over it as part of the judicial procedure, but it is Fidus of Joppa who attempts to combine this practice with an oath in this twofold context. However, as I argued earlier,⁴¹⁵ this oath was not required from the witnesses. In this sense, the request for a testimonial oath here serves merely as a reminder. It has a supportive or reaffirming function to that of the Gospel-book as a truth-extractor. It does not add or subtract anything to and from the book’s supreme authority.

⁴¹³ ACO 1.1.2:37-38.

⁴¹⁴ As evident by Chrysostom’s condemnation of the practice between laymen: Ch.1.4.iii.

⁴¹⁵ Ch.3.2.ii.

As we have seen, Constantine's constitution of Naissus in 334 mandated that all witnesses should swear oaths before testifying in a court.⁴¹⁶ However in Ephesus the situation is quite different, partly because it was not a secular court, but a church council "borrowing" the judicial procedure of a court,⁴¹⁷ and partly because of the profession of the witnesses. As I said earlier, the bishops belonged to the elite class of "honestiores", a class with significant rights and privileges and a class that was exempted from torture.⁴¹⁸ As such, their word and testimonies were of exceptional importance and credibility, and it is highly unlikely that they were required to give an oath before they testify in secular or ecclesiastical courts, especially given the condemnation of the practice by significant Church writers, like John Chrysostom that we saw in Chapter 1.⁴¹⁹ Furthermore, the bishops were not required to testify at all. According to a law of 381 issued by Theodosius I:

"A bishop is not required either by honor or by law to give testimony. ... It is not fitting for a bishop to be admitted to give testimony, for his person is dishonored thereby and the privileged dignity of the priesthood is confounded." (*CTh* 11.39.8).⁴²⁰

Furthermore, many bishops continue to despise the "requirement"⁴²¹ for oaths even years after Ephesus. This is evident in the protests of clerics that are recorded in the *Acts of Chalcedon*. For example, in the second session of the synod of Constantinople, Basil of Seleucia objects against the request of Theodosius II

⁴¹⁶ Ch.1.4.iii.

⁴¹⁷ On the similarities and differences in the operation of the Roman secular courts and their proper judicial procedure in comparison to the procedure followed by the Church councils aiming to serve the doctrinal debate: Graumann, 2007:100-113. Humfress emphasises the differences between the two: Humfress, 2007b:205-211. Steinwenter and Meyer focus more on the similarities between secular courts and Church councils: Steinwenter, *ACIDR*.1:227-241; Meyer, 2004:243. A further analysis of the juridical aspects of the first session of Ephesus can be found in De Halleux, 1993:48-87.

⁴¹⁸ Ch.3.2.ii.

⁴¹⁹ Ch.1.4.iii.

⁴²⁰ "episcopus nec honore nec legibus ad testimonium flagitatur. ... episcopum ad testimonium dicendum admitti non decet, nam et persona dehonouratur et dignitas sacerdotis excepta confunditur". *CTh* 11.39.8, Pharr:340. For the Latin text: Godefroy:342-343.

⁴²¹ Even though the practice of swearing oaths was opposed by many Christian clerics, in reality many bishops are recorded in our sources to swear oaths, sometimes voluntarily, and other times forcefully. So even though the act of swearing an oath was considered derogatory by some clerics, the "requirement" or enforcing of this act on them was even more derogatory and disgraceful, and led to their protests against it. For examples of clerics swearing oaths: Ch.1.4.ii, Ch.3.2.ii, Ch.4.1.iii-iv, Ch.4.2.ii, Ch.7.1.ii, Ch.7.2.i, Ch.7.3.i and Ch.7.4.ii.

that the bishops should take an oath on the Gospel-book before declaring whether the testimonies of the Eutychian and the Flavian parties were authentic (C449b, CHA. s.1, §570).⁴²² Similarly, in an extra-conciliar incident (c.447), presbyter Cassianus is forced by bishops Stephen of Ephesus and Maeonius of Nyssa to swear an oath on the Gospel-book. When he recounts this incident in Chalcedon (451), he informs the bishops of his complaint against Stephen with the following words: "I have never sworn an oath to anyone; would you force me to do so now when I am a presbyter?" (CHA. s.11, §39).⁴²³

The latter may not be related to the practice of testimonial oaths in a conciliar-judicial context, but it definitely shows the intense resistance of many clerics to give oaths, regardless of context. As for the former, although it is most probably evidence of testimonial oaths on the Gospel-book in the Synod of Constantinople (449), the very same fact that the Emperor had to give a specific order for this swearing on the Gospel-book to take place, as well as the bishops' protest in the words of Seleucia "never till now have we heard of oaths being required of bishops", reveal that swearing testimonial oaths on the Gospel-book was not an already established judicial-conciliar practice, especially for clerics. It was rather a practice initiated by Cyril in Ephesus and it was still gradually established in the councils that followed.

Basil's protest could further be explained by the fact that he did not participate in Ephesus, so it is likely that he was not fully aware of the practice initiated by Cyril two decades earlier. The same applies for his predecessor, Dexianus, who even though he went to Ephesus with the intention of representing the see of Seleucia, he eventually did not attend the Cyrillian synod and as such he did not witness the testimonial oaths of the bishops during it; hence he could not inform his church (Basil included) about it. As a matter of fact, Dexianus was among the bishops who sided with Nestorius,⁴²⁴ attended the session of the Easterners on 26 June,⁴²⁵ opposed the decisions of the Cyrillian synod,⁴²⁶ and in the end was

⁴²² ACO 2.1.1:152; ACCh.1:233.

⁴²³ ACO 2.1.3:50; ACCh.3:13.

⁴²⁴ *Protest at the Early Meeting of the Council*, CC §82.11, ACO 1.4:28; *Report of Nestorius and the Bishops with him to the King on the Actions of the Holy Synod*, CV §146.6, ACO 1.1.5:15.

⁴²⁵ *Minutes of the Proceedings by the Eastern Bishops in which they depose Cyril and Memnon*, CV §151.16.10, ACO 1.1.5:123.

⁴²⁶ *Copy of the Report of the Holy Council sent via the Magistrianus Palladius*, CV §84.6.18, ACO 1.1.3:13.

excommunicated by the Cyrillians along with John of Antioch in the council's fifth session (17 July).⁴²⁷ Consequently, if the bishops were neither required to give an oath, nor even testify, how can the incident in Ephesus be explained where the bishops Acacius and Theodotus are invited to take an oath before their testimonies?

To my understanding, the explanation can be attributed partly to the fact that the oaths are placed upon the bishops by an authoritative, emblematic and well-respected figure such as Cyril, around whom everyone in this first session was allied and against whom it was not easy to stand; and partly, and most importantly, due to the topic of the council, the presence of the Gospel-book in the room and what can be seen as a reduction of the importance of the oath, whose authority is now absorbed by the Gospel-book. Finally, let us not forget that here we are dealing with oaths taken voluntarily by the bishops following Cyril's and Fidus' invitation, because they feel and understand that by doing so, they serve the purpose of the council, as I will also show below.

THE QUALITY AND PROFESSION OF THE WITNESSES

With regard to the topic of the council, or the "issue at stake", which Cyril describes as a "matter of more capital importance than anything", it is the "Christian faith" (E431, s.1, CV §52), as discussed earlier.⁴²⁸ With the council trying to establish and protect this faith, and with theological positions being presented through documents from various authors, it was necessary that the witnesses were theologically advanced, at least to some extent,⁴²⁹ so that they would be able to tell the difference between Cyril's and Nestorius' theologies during their testimonies. As such, the ideal witnesses were bishops, given that they were usually better educated than the average cleric or layman. For this reason it was the former and not the latter who were invited to testify against Nestorius. After all, as we have seen, the higher the class of a witness, the more credibility was

⁴²⁷ E431, s.5 CV §90.4; CV §91.1.25, ACO 1.1.3:25-26.

⁴²⁸ Ch.3.2.i.

⁴²⁹ By "at least to some extent" I am referring to the fact that even though many bishops were substantially educated theologically and legally, as argued by Humfress, there were still many of them who, despite their theological education, were not eager to put it into effect and actively get involved in doctrinal issues. They rather simply adjusted their position to the wishes of the president of the council or abided by the orders of the Emperor, as portrayed by Whitby. Humfress, 2007b:135-217; Whitby, 2011:178-196.

given to his testimony, or in the words of Constantine's edict: "greater trust [was] placed in witnesses of more honourable status" (*CTh* 11.39.3).⁴³⁰ It is worth also clarifying here that even though Theodosius' edict prohibits anyone from dragging a bishop to the court and forcing him to testify as a witness, as expressed with the words "a bishop is not required (*flagitatur*)" and "it is not fitting for a bishop to be admitted (*admitti non decet*)" (*CTh* 11.39.8),⁴³¹ this should not be interpreted as an obstruction on them to voluntarily present themselves in courts and testify, which is the case in Ephesus.

THE QUESTION OF THE RELATIONSHIP OF THE TESTIMONIAL OATH TO THE TRUTH AND THE TRUTH-EXTRACTING PROCESS

As for the testimonial oath, and again taking into consideration my analysis elsewhere,⁴³² it is questionable whether it existed long before Ephesus or whether it was closely related to the truth and the truth-extracting process, especially given that for the Roman legal procedure the presentation of written and oral evidence was far more important than the swearing of any oath.⁴³³ The oath was treated more as evidence of power, like "the power to accomplish something" (e.g. allegiance to the Emperor) and only in this sense it can be loosely linked to the truth as "the power to speak the truth". But as I argued elsewhere,⁴³⁴ this "link" between oath and truth should not be taken for granted in the ancient Greek and Roman legal context. However, in the setting of Ephesus this previously "loose" link is now reinforced and the oath acquires a quite different meaning, especially due to it being sworn on the Gospel-book. The oath now becomes closely related to truth and serves as a truth-extracting tool precisely because it is given on the object that physically manifests the presence of Jesus Christ, the Truth personified, in these councils; and it is in this sense why I argued many times above that the oath has a supportive role to the use of the Gospel-book and in reality, the oath draws from the book's authority, rather than adding anything to it. This is also why I argued that the book has the supreme authority as a truth-extracting tool in these councils.

⁴³⁰ *CTh* 11.39.3, Pharr:340.

⁴³¹ *CTh* 11.39.8, Pharr:340.

⁴³² Ch.1.4.

⁴³³ Silving, 1959:1335-1336,1383-1384; Mousourakis, 2007:174,177,253²⁶,255⁶⁵.

⁴³⁴ Ch.1.

THE SUPERIORITY OF THE GOSPEL-BOOK'S AUTHORITY IN THE EXTRACTION OF TRUTH IN COMPARISON TO THE AUTHORITY OF THE OATH

i. In the Cyrillian session of 22 June (first session of Ephesus)

In this aspect, it becomes evident that in reality we have a reversal in the power correlation between the authority of the oath and the authority of the object on which the oath is taken in comparison to the pagan practice before Ephesus. As demonstrated earlier,⁴³⁵ in the Roman Senate and in the pagan secular courts, it was the oath that had the absolute power (especially through its understanding as evidence of power) and not the object on which the oath was taken (i.e. altar of Victory, altar of idols, human parts, animal intestines, weapons, rocks etc.). But in Ephesus, the primary emphasis falls on the Gospel-book and its multi-faceted authority; the oath comes only as a mere "reminder" or "reaffirmation" of the function performed by the book. This is why in the very end, the most important thing in the Cyrillian synod was that the testimonies were given in front of the Gospel-book, as standing before God himself, regardless of the employment of an oath or not.

After all, further evidence that attests to my argument on this change of meaning and significance of the oath, whose authority has now been incorporated and expressed through the Gospel-book as a truth-extracting tool in the setting of these councils that attempt to establish the truth and the faith, can be found in what follows. When inviting the bishops to testify and while requesting them to take an oath, Cyril makes a special mention to their quality and profession through the words "it is fitting that the most devout and in all respects most God-beloved bishops Theodotus and Acacius, according to ... the oaths placed upon them, since they are holy and lovers of the truth, relate what they heard him say ... when they initiated discussion with him over the orthodox faith" (E431, s.1, CV §52).⁴³⁶ By doing so, Cyril not only highlights the quality of the witnesses as a means to emphasise their credibility,⁴³⁷ but he also reminds them that the purpose of this whole process is the emergence of and the adherence to the truth for the sake, the

⁴³⁵ Ch.1.4.

⁴³⁶ ACO 1.1.2:37-38.

⁴³⁷ It is possible that here can be seen an underlying practice of Christian clerics requesting an oath only from honest people of exceptional moral value for whom it was certain that they would keep their oath, so as to avoid leading them to swear in vain or commit perjury.

establishment and the protection of the topic of the council, that is the orthodox faith. The oath does not have any extra power or appeal over the bishops and it does not affect them in any way. They are there to do what they “naturally” are accustomed to doing, which is to speak the truth before God and the Gospel-book, with or without the employment of an oath.

This “natural” inclination comes from within the bishops themselves due to the fact that they are clerics. It is seen as a natural consequence and indication of their quality as true disciples of Jesus Christ, around whom they are assembled, as argued elsewhere.⁴³⁸ As such, they commit themselves to reveal the whole truth and put aside any personal feelings and relationships they may have, so as to serve the purpose for which they have gathered around the book: that is the establishment, profession and protection of the truth and the orthodox faith. These can be seen in the way both bishops, Theodotus and Acacius, begin their testimonies, which reveals how the Gospel-book affects them and serves as the most authoritative object to extract the truth in this context.

More specifically, Theodotus of Ancyra confesses that:

“I am pained on behalf of a friend, but I honour piety more than all friendship. Therefore I have the need, although with great regret on the matters I am being asked about, to speak the truth. I do not think there is need for our testimony, since his beliefs are clear from the letter to your religiousness.” (E431, s.1, CV §53).⁴³⁹

And Acacius of Melitene in a similar manner:

“Since the faith is in question and piety towards God, it is necessary to set aside every predisposition. Consequently, even though I had great love for the lord Nestorius, more than for others, and in every way I tried to save him, it is now necessary through a love of the truth to recount

⁴³⁸ Ch.3.1.i, Ch.3.2.ii, Ch.7.2.i.

⁴³⁹ ACO 1.1.2:38.

what he has said, so that my soul will not be condemned for hiding the truth.'" (E431, s.1, CV §53).⁴⁴⁰

They both emphasise that they are not happy for being in a position where they have to testify against a good friend like Nestorius, but at the same time they understand that it is important to do so due to the issue at stake, which is the truth, the orthodox faith and the piety before God. For this reason, out of an internal and natural "necessity", and due to the fact that they "love the truth" and God, and not due to an external obligation (e.g. oath) forcibly imposed upon them, they commit themselves to bring the whole truth to light with their testimonies. Otherwise, it becomes clear from Acacius' words, that they risk having their souls condemned, a punishment that would affect them in the human and the divine world, and that has been earlier seen through my analysis as an immediate effect of the divine judgement passed through the Gospel-book, expressed by the council and enacted with the support of the secular mechanism.

This part of the procedure with the oral testimonies of the two bishops closes with Flavian of Philippi confirming that "the testimony of ... Theodotus and Acacius is clear" (E431, s.1, CV §53),⁴⁴¹ to indicate that the whole truth has been brought to light, an effect of the use of the Gospel-book, as analysed earlier.⁴⁴² In the end, as we have seen, the council concludes with the decree of Nestorius' condemnation is attributed to the "blasphemed by Nestorius" "Christ himself present" and presiding judge, represented through the Gospel-book and expressed through the council (E431, s.1, CV §62; CV §84.2).⁴⁴³

Consequently, it becomes evident how the Gospel-book is used in Ephesus I as the best, most powerful and most suitable means to extract the whole truth from the witnesses by having them stand before it as before the judgement of God himself; a practice that reveals once again the book's supreme authority based on its identification with the personification of the

⁴⁴⁰ ACO 1.1.2:38.

⁴⁴¹ ACO 1.1.2:38.

⁴⁴² Ch.3.2.i.

⁴⁴³ ACO 1.1.2:54-64; 1.1.3:10-11.

Truth, that is Jesus Christ, the Son and Word of God. This supremacy, especially in relation to the oath and the truth-extracting process, can be inferred also from the special focus that both the *Acts of Ephesus* and the *Acts of Chalcedon* show on the presence of the Gospel-book in the middle of some councils, rather than any reference to the oath-taking practice. In the *Acts of Ephesus*, for example, we have no references of anyone swearing oaths as part of the conciliar-judicial procedure,⁴⁴⁴ apart from the instance examined above. At the same time though, the references and highlighting of the Gospel-book as part of this procedure are multiple in the Cyrillian sessions, as evident and analysed throughout the first three chapters of this thesis.

ii. In the Cyrillian session of 26 June

Another example of this emphasis on the Gospel-book, rather than on the oath, as a way to show the legitimacy of the practice and the importance of the incident, can also be found in a letter sent by Memnon of Ephesus to the clergy of Constantinople. In this letter, the metropolitan of the city recounts how, after the first session, the council sent bishops to John of Antioch to inform him about the penalty against Nestorius and how they were attacked by those with John. Upon their return, a meeting was held in which the bishops testified what had happened.⁴⁴⁵ As in the first session, Memnon highlights the two factors that the Cyrillians consider as guarantors of truthful testimonies: the minuting of the session and the presence of the Gospel-book in front of the bishops. More specifically, Memnon accounts:

⁴⁴⁴ Every other time an oath is mentioned in the Acts of Ephesus, it is never as part of the conciliar-judicial process, but of the documents around it, and it is most frequently posed as a request to do or refrain from doing something, as for example: "I adjure by the Holy Trinity whoever receives this document", "we are compelled to address this document to your religiousness, adjuring you by the holy and consubstantial Trinity that John himself and those who have joined him in this criminality should be summoned to the holy council to answer for their insolence", "Therefore we again entreat and adjure you, by your children, by those dearest to you, and by the just judgement of God, that we be not overlooked by your magnificence, but be set free from here as soon as possible, to behold the air of freedom" etc. E431, CV §18; CV §88; CV §161, ACO 1.1.1:101; 1.1.3:17; 1.1.5:133.

⁴⁴⁵ According to a footnote on Price's unpublished translation, this meeting took place on 26 June and its minutes have not been preserved.

"After these events, the most religious bishops who had been sent returned to the holy council, displayed the blows, and recounted what had happened, during a minuted session with the holy gospel-book set before [the council]. They roused the holy council to indignation, and after briefly admonishing him,⁴⁴⁶ they declared him excommunicate, and he was informed of the excommunication." (E431, CV §101).⁴⁴⁷

Here it is Memnon, like Cyril earlier,⁴⁴⁸ who highlights the presence of the Gospel-book in the room, as well as the minuting of the session, as Fidus of Joppa did when he reminded the witnesses in the first session that their testimonies are being recorded.⁴⁴⁹ This shows an understanding of which elements were significant in this procedure that is shared between the bishops of the Cyrillian session. At the same time, there is no reference to a requirement for bishops to swear an oath on the Gospel-book before they testify. To my understanding these attest to the supreme authority and importance of the Gospel-book for the Cyrillians in comparison to the merely "supportive" function of the oath on the other. Hence, it becomes evident why I claim that the Gospel-book's authority was more supreme than that of the oath in Ephesus and that we have a reversal of their importance and authority in comparison to what preceded this council.

However, this should not come as a surprise or absurdity if we take into consideration that in the pagan, judicial and extra-conciliar Christian context, the believer has to invoke god to affirm the power of his word, or has to visit a sacred place (church, synagogue, pagan temple) to swear such an oath. In the words of Ambrose that we examined earlier: "What is an oath, but a confession of the divine power of Him Whom you invoke as watcher over your good faith?" (*Letter 17*, §9).⁴⁵⁰ Nevertheless, in Ephesus such an invocation is not necessary, because the omnipotent God already manifests himself in

⁴⁴⁶ According to Price, this refers to a first excommunication against John of Antioch, while another decree was also voted against him and his supporters two weeks later, on 17 June, in the council's fifth session that we examined earlier (E431, CV §91, CV §92). ACO 1.1.3:26-30.

⁴⁴⁷ ACO 1.1.3:46.

⁴⁴⁸ Ch.2.4, Ch.3.1.i.

⁴⁴⁹ Ch.3.2.ii.

⁴⁵⁰ Ambrose, *Letter 17*, PL 16:963, NPNF 2.10:412. Ch.1.4.iv.

the middle of the council through the Gospel-book, watching everything and everyone, presiding over the procedure, revealing the truth and being ready to pass immediate judgement (through the council that uses the book) with consequences in the human and spiritual world, in this life and the afterlife. As such, the oath has only a secondary, supportive, reminding and merely “reaffirming” power and function in relation to the authority of the Gospel-book.

Consequently, the supreme authority of the Gospel-book, according to the Cyrillian perspective, has become evident once again through my analysis. For them, the Gospel-book is the most powerful and adequate object to extract truthful testimonies from the witnesses, on one hand, but also in comparison to the oath, on the other.

CONCLUSION

To conclude this chapter on the supreme authority of the Gospel-book based on its use as the most adequate truth-extracting tool in Ephesus, it has been shown that the fundamental reason of this employment is very closely linked with the self-understanding of these councils and the close relationship of the book to the truth⁴⁵¹ and especially to the personification of the Truth, that is Jesus Christ himself, the Son and Word of God.⁴⁵² He is employed through the Gospel-book to help the council bring the truth to light and to ensure, along with other secular means (like the minuting of the sessions and the verbatim recording of the testimonies) that all the participants of the council will speak the whole truth without hiding anything.⁴⁵³ Through this analysis of the spiritual, theological and practical dimension of the authority of the Gospel-book, along with the brief examination in Chapter 1 of the precedents of the truth-extracting practice and the oath before Ephesus I and after it, I have demonstrated what could possibly be a crucial moment in the history of the ecclesiastical and secular world. A moment so important that shaped the practice of the Church councils and secular courts that followed, even until today in some cases: that of placing the Gospel-book in the middle of a room

⁴⁵¹ Ch.3.1.

⁴⁵² Ch.3.2.i.

⁴⁵³ Ch.3.2.ii.

3. RELATION OF GOSPEL-BOOK & TRUTH; ITS USE AS A TRUTH-EXTRACTING TOOL

to signify Jesus Christ's presence and presidency over the assembly, and its employment (with or without an oath) to find the truth and establish it.

CONCLUSION TO PART I

In conclusion, in Ephesus the Gospel-book is no longer just a divinely inspired collection of texts about Christ, his teaching and the word of God that the bishops can consult, discuss and argue about whenever needed. It gradually becomes much more than that through its employment by the Cyrillian synod. It represents Jesus Christ, the Word and Son of God himself. It is placed in the middle of the assembly to preside over it and to judge the accused and pass judgement on them. It is there to signify the twofold reality of the council and its two-dimensional consequences on the human and the divine world. It is there to guide the bishops and help them perform effectively and successfully the reason for which they were summoned by the Emperor: that is the establishment of the truth, and of the orthodox faith and piety. In this process, the Gospel-book is used as the most powerful and adequate tool to extract truth from the witnesses in the Cyrillian sessions, leaving the oath and any other object or means to extract the truth in second and only supporting function. Through these, the supreme spiritual and practical authority of the Gospel-book becomes evident. An authority that gradually became so well-established and widely accepted that the practice of enthroning the Gospel-book in the room to physically manifest God's presence as judge and president over the assembly and using it to extract the truth was adopted by the most significant councils that followed in the Eastern empire. Later, it was also introduced in the secular courts of the whole empire by Justinian to perform the same function from the sixth century onwards.

With the rise of the status of Ephesus and Cyril in the councils that follow, rises also the authority and employment of the Gospel-book in these councils as the most adequate object to physically manifest the presence, presidency and guidance of God himself, as Jesus Christ, over these councils that pursue to establish the truth and the orthodox faith, preserve it, protect it and communicate it to the body of the Church. This supreme authority of the Gospel-book is indeed recognised and taken up gradually not only by the most important of the church councils that followed; it is also acknowledged by the secular authorities, who first attempt to usurp its control to serve their means, as evident in the Acts of Chalcedon, and then introduce it to the secular courts of the whole Empire, as evident in the edicts of the Justinian Code that we saw above.⁴⁵⁴ These aspects of the book's authority will be examined and analysed in Part II that focuses on the use of the Gospel-book in the councils included in the Acts of Chalcedon. There

⁴⁵⁴ Ch.1.4.v.

the Gospel-book is again placed in the centre again to physically manifest Jesus Christ and signify his presidency over the councils;⁴⁵⁵ to guarantee the truthfulness of the testimonies of the participants, occasionally with the employment of an oath (Synod of Constantinople of 449), but mostly without it (Home Synod and Chalcedon);⁴⁵⁶ to lead the bishops to take and finalise decisions on matters of faith and judicial issues;⁴⁵⁷ while other times it is included and highlighted in the descriptions of conciliar and extra-conciliar events, so as to influence the readers and lead them to a specific outcome.⁴⁵⁸

⁴⁵⁵ Ch.7. C448 s.7, CHA. s.1, §458, §720; CHA. s.1, §4; CHA. s.4, §2; CHA. s.12, §7-8.

⁴⁵⁶ Ch.7.2.

With oath: C449b, CHA. s.1, §569-571; C449b, CHA. s.1, §654.

Without oath: C448 s.6, CHA. s.1, §447; C449b, CHA. s.1, §597; §640, §641, §644; CHA. s.1, §851, §855; CHA. s.CD, §4; s.10, §20.

⁴⁵⁷ Ch.7.3. On matters of faith: CHA. s.4, §8; CHA. s.5, §12.

On judicial issues: CHA. s.12, §7-8.

⁴⁵⁸ Ch.7.1.

On conciliar events: C448 s.7, CHA. s.1, §458, §720; CHA. s.1, §4; CHA. s.4, §2.

On extra-conciliar events: CHA. s.11, §14; §39.

PART II

FROM EPHESUS TO CHALCEDON:

THE HERITAGE OF EPHESUS,

THE ROLE AND THE SUPREME

AUTHORITY OF THE GOSPEL-BOOK

INTRODUCTION TO PART II

In the first chapter of my thesis, I demonstrated that we should not take for granted the identification of the Gospel-book with Jesus Christ before Ephesus I, or its employment in the conciliar practice before 431, or its use to extract the truth in the judicial process, or even the employment of oaths to secure truthful testimonies in the courts prior to Ephesus. On the contrary, I argued that it is very probable that this combination of characteristics was attempted for the first time in Ephesus by Cyril of Alexandria in order to shift his own role to the background and highlight the role of Jesus Christ as the supreme judge and president of the council, who brought the truth to light and condemned Nestorius for his heresy.⁴⁵⁹ Cyril did this by creating an atmosphere of a divine court in Ephesus through the placement of the Gospel-book on a "throne" in the middle of the assembly, so that the bishops felt that their testimonies were in front of God Himself, the same victim that Nestorius had attacked, that is the Son of God.⁴⁶⁰ In this setting, we have the first attempt of the book to be used in the truth-extracting process during a council, as a means for the witnesses to affirm the validity of their testimonies.⁴⁶¹

With the prevalence of Cyril over his opponents, his elevation to the status of a Father after his death, and the acknowledgment of Ephesus as an ecumenical council establishing the orthodoxy, the authority and the employment of the Gospel-book in the conciliar context become gradually established too.⁴⁶² They are inherited by some of the most important Eastern councils that followed, as evident by the Home Synod of 448, the Synod of Constantinople in 449, the Council of Chalcedon in 451, and the ecumenical councils thereafter. Nevertheless, as this is a practice slowly established, we realise three things in the Acts of Chalcedon. Firstly, even though the employment of the book is still under development (i.e. enthronement in the midst of the assemblies, sealing decisions etc.), its supreme authority is already established as the most adequate object to manifest Christ's presence and presidency, and as the most powerful truth-extractor in the context of these councils. This is possibly the reason why in the Acts of Chalcedon we have no clear statements of what the Gospel-book represents, and as such we need to deduce this from the language employed in the councils when referring to the Gospel-book. This examination will also unveil the authority the book had in the

⁴⁵⁹ Ch.1.

⁴⁶⁰ Ch.2.

⁴⁶¹ Ch.3.

⁴⁶² Ch.4.

eyes of the groups that participated in these councils and to what extent it can be called supreme.⁴⁶³ Another aspect of the supremacy of the book can be deduced from the fact that it is preferred over any other religious or secular object to be enthroned in the middle of the room to represent Jesus Christ and gather everyone around it.⁴⁶⁴ Finally, as the book's authority is expanding through its employment in more ways, a closer examination of this employment will offer a deeper insight on how this authority was expressed in practice.⁴⁶⁵ A practice that not only reveals the Gospel-book's supreme authority, but also explains to a certain extent how this practice was passed to the secular courts of the Byzantine Empire and the modern courts as an object authoritative enough to manifest God's presence in the courtroom, extract the truth from the witnesses in courts and lead the judges to a God-directed decision.⁴⁶⁶

⁴⁶³ Ch.5.

⁴⁶⁴ Ch.6.

⁴⁶⁵ Ch.7.

⁴⁶⁶ Thesis Conclusion.

CHAPTER 4. THE ESTABLISHED AUTHORITY AND THE GRADUALLY DEVELOPING PRESENCE AND EMPLOYMENT OF THE GOSPEL-BOOK IN THE COUNCILS OF THE ACTS OF CHALCEDON

4.1 THE GRADUALLY INCREASING PRESENCE AND SIGNIFICANCE OF THE GOSPEL-BOOK IN THE COUNCILS AFTER EPHESUS I

In Part I of my thesis I argued against the currently established assumption that the Gospel-book was present in the councils before Ephesus. I also claimed that it was Cyril, who set up an example on the use of Gospel-book, picked up by the later councils. However, this was most probably not an immediate process, but a gradually established one. This is evident in the councils that followed between Ephesus and Chalcedon, as I will now show, in which the book acquires a gradually more frequent and significant role, as attested by the increasing references to it.

However, this gradual establishment of the Gospel-book in the conciliar procedure seems to be more closely related to the province and the personal disposition and affiliations of each bishop, rather than a practice instituted by the Church as a whole. To this conclusion points the fact that we do not have any surviving evidence of an imperial edict or ecclesiastical canon instructing bishops to enthrone the Gospel-book in the midst of their councils and employ it for testimonial oaths, as for example the Constitution of Naissus (334) that required from witnesses to swear an oath (yet without any reference to the Gospel-book) in the courts before they testify.⁴⁶⁷ My assumption here is further supported by the fact that we do not have any evidence of the Gospel-book's employment in the councils of the West,⁴⁶⁸ as well as the ongoing enmity between the Cyrillians and the Easterners after Ephesus I, which is evident in Dioscorus' attempt to eradicate the entire Antiochene school in Ephesus II.⁴⁶⁹

⁴⁶⁷ Ch.1.4.iii.

⁴⁶⁸ In the Western Councils, it is the papal throne that dominates the room, and the Gospel-book is recorded for the first time more than a millennium later. De Maio, 1963:14-15. After all, Leo's edict of 469 introducing the Gospel-book in the government buildings and assemblies and Justinian's edicts during 530-544 establishing the book in the centre of the secular courts had no power over the Western part of the Empire that would be dissolved in 476. Ch.1.4.v.

⁴⁶⁹ Further on the rivalry between the two sees: *ACCh*.1:13,23-24.

i. Antioch

In the Acts of Chalcedon we have extracts from the acts of two councils held in Antioch under Domnus II, in 445 (CHA. s.14, §15-150)⁴⁷⁰ and 448 (CHA. s.10, §47, 51-54).⁴⁷¹ The first was summoned to examine the case of Athanasius of Perrhe, who was eventually deposed, as well as Ibas of Edessa's whose case was investigated again in the second council. In both councils we have testimonies from witnesses, and in the former we have a reference to Athanasius' resignation under oath c.443 (A445, CHA. s.14, §50, 59, 80, 92).⁴⁷² However, in neither council have we a reference to the Gospel-book, either as enthroned in their midst or employed in the truth-extracting process. Undoubtedly, given the very limited size of the survived acts, it is impossible to conclude with certainty on whether the book was there. Yet, it may not be a surprise if it was not.

Antioch was the metropolitan see of Syria I of the diocese of Oriens,⁴⁷³ and we have already seen that we have no references to the Gospel-book in the synod and the argumentation of the Easterners in Ephesus. Furthermore, we examined how emphatically Chrysostom condemned in 387 the practice of employing the book to extract the truth or to swear oaths on it, while he was a presbyter in Antioch.⁴⁷⁴ On a parallel note, John was among those condemned by Cyril in Ephesus I (fourth session), and I demonstrated earlier how Cyril argued that it was Christ (through the Gospel-book), who brought the truth to light and condemned Nestorius and John. And even after Cyril's and John's reconciliation in 433 and their deaths before 445,⁴⁷⁵ the rivalry between the Cyrillians and the Antiochenes remained, as attested by Dioscorus' orchestrated attack on Domnus in Ephesus II. As such, it must have taken quite a few years for some of the Easterners to accept the authority of Ephesus I and Cyril's actions in it, especially if this practice was tainted by his abuse of power and the Gospel-book's "misemployment" as Christ that, according to the Cyrillian argumentation, led to the condemnation of the Easterners' Father: John of Antioch.

Regardless of the question on the Gospel-book's enthronement and employment in the conciliar practice of the councils of Antioch, it is clear that the province

⁴⁷⁰ *ACCh*.3:44-58,306.

⁴⁷¹ *ACCh*.2:280-281; 3:306.

⁴⁷² *ACO* 2.1.3:72-75; *ACCh*.3:47-51.

⁴⁷³ *ACCh*.3:229,233,292.

⁴⁷⁴ *Ch*.1.4.iii.

⁴⁷⁵ John died in 441 and Cyril in 444.

acknowledged the authority of the Gospel-book extra-conciliarly, as evident not only by Chrysostom's argumentation against its "misemployment" to swear oath and extract the truth, but also by its use by Domnus II when ordaining his bishops by placing the Gospel-book on their head, as attested by the Syriac Acts of Ephesus II.⁴⁷⁶

ii. Tyre and Berytus

There is another council, whose minutes survive in the Acts of Chalcedon, originally summoned in Tyre, but then moved to Berytus in February 448 (TB449, CHA. s.10, §28-138).⁴⁷⁷ It examined again the charges against Ibas of Edessa and in it we have a reference to an oath by Ibas that he did not say anything heretical (TB449, CHA. s.10, §22),⁴⁷⁸ and an accusation for perjury against Daniel of Carrhae for not offering deacon Abramius' estate to the poor after the deacon's death despite his (extra-conciliar) oath sometime before 448 (TB449, CHA. s.10, §73.16).⁴⁷⁹ In neither of these incidents do we have a reference to the Gospel-book, which makes it unclear if the book was used in the council, if we judge solely by what is in the Acts of Chalcedon.

The Syriac Acts of Ephesus II, though, are much more revealing. In Ephesus II the bishops Photius of Tyre, Eustathius of Berytus and Uranius of Hemerium, who sat as presidents in Tyre-Ephesus, testify that they had asked from the clerics of Edessa, who brought the charges against their bishop Ibas, to "affirm on Oath upon the Gospels, whatever they were cognizant of in reference to the accusation advanced against him (Ibas) touching The Faith".⁴⁸⁰ This statement may not be very clear on whether the Gospel-book was identified as Jesus Christ, however it is an explicit attestation of the book used in a conciliar context jointly with the oath to extract the truth on a crucial matter as faith, much like Cyril and Fidus did in Ephesus I.

⁴⁷⁶ ACE449:310-311.

⁴⁷⁷ ACCh.2:277-298; 3:306.

⁴⁷⁸ ACO 2.1.3:18; ACCh.2:275-276.

⁴⁷⁹ ACO 2.1.3:26; ACCh.2:285.

⁴⁸⁰ ACE449:42,439. MSS 14,602. Fol. 95 and 96 gives a slightly different version as "affirm on oath before (upon) the Evangelists", but this is most probably an issue with the Syriac translation of the original Greek source.

To all these should be added also the evidence from the Acts of Chalcedon on the "fear of God". If my analysis in Chapter 7 is correct, then it is probable that the "fear of God" was an expression frequently used to allude to the Gospel-book and Jesus Christ. As such the bishops in Tyre/Berytus are recorded to link the "fear of God" with the critical examination (i.e. bringing the truth to light) before taking a decision on faith (TB449, CHA. s.10, §74, §107),⁴⁸¹ an employment of the Gospel-book that is very common in the councils after Ephesus I.⁴⁸²

In the light of my argument above, it may look absurd that a council of Easterners⁴⁸³ would employ the Gospel-book, especially when we consider that their predecessors, Cyrus and Irenaeus of Tyre, were on the side of John against Cyril in Ephesus I. However, it is not as absurd if we count in the flexibility the presidents of Tyre-Berytus had in their doctrinal views and ecclesiastical politics. Photius and Eustathius acquitted Ibas here in February 449, but they condemned him on the same evidence a few months later in Ephesus II (August 449), and eventually revoked their decision in Chalcedon (451). As such, it is not unlikely that they may have been less hesitant than the Antiochenes to adopt a Cyrillian practice of employing the Gospel-book to extract the truth by placing it in the midst of their assemblies; alongside with the fact that Eustathius was a miaphysite and as such theologically closer to the Cyrillians.⁴⁸⁴

What is truly puzzling, nevertheless, is the absence of this incident from the Acts of Chalcedon, despite their detailed inclusion of the minutes of the council. Undoubtedly, this could be a mere coincidence. However, we cannot exclude the possibility that the editors of the Acts of Chalcedon, who were in harmony with the employment and authority of the Gospel-book in the Acts of Ephesus I, chose to omit an example of 'misemployment' of the book. Such an example could be the Edessian clerics swearing an oath on the Gospels and then giving false testimonies against Ibas. This could potentially blemish the authority and usefulness of the book in the extraction of truth. There are probably more

⁴⁸¹ ACO 2.1.3:26,29; ACCh.2:286,291.

⁴⁸² Ch.2-3, Ch.7.2-3, Ch.7.4.iii.

⁴⁸³ Tyre and Berytus were both part of Phoenice I of Oriens. ACCh.3:229,233,292.

⁴⁸⁴ ACCh.2:267-268.

examples of this editorial practice in other instances of the Acts of Chalcedon that refer to the events of the Acts of Ephesus II, as we will see in the next section.⁴⁸⁵

At the same time, it could be for the same reason, yet in reverse, why this practice was included in the original Acts of Ephesus II and maintained by the Syriac translator a century later. The editors of Ephesus II may have wanted to affirm the legitimacy of Ibas' condemnation in Ephesus II given that the testimonies against him in Berytus were truthful as validated by an oath on the Gospel-book. Similarly, the non-Chalcedonian editor of the Syriac Acts was a monk from a miaphysite monastery near Apamea, publishing them in 535 AD. This is the Justinian period of the "Three Chapters" controversy, which eventually led to the Second Council of Constantinople (553)⁴⁸⁶ and the condemnation of Ibas' letter against Cyril.⁴⁸⁷ As such, the translator too had a very good reason to include in his Acts an incident of testimonies against Ibas sworn on the Gospel-book, as proof of their truthfulness and validity. After all, Graumann has already established how the Acts were used as "*instruments of propaganda*", or as Millar says: "*As always, precisely what other relevant material should be added to the text of a report of conciliar proceedings was a matter of editorial discretion, relating to the purpose of the record in question*".⁴⁸⁸

iii. Ephesus

The establishment of the Gospel-book in Ephesus is very peculiar and entangled, both with regard to its many bishops and to the two councils held there, but most importantly due to the lack of clear evidence on the issue. Ephesus was the metropolitan see of Asia in the diocese of Asiana.⁴⁸⁹

THE BISHOPS OF EPHEBUS (428-451)

We have already examined the book's employment in Ephesus I, along with how Memnon of Ephesus (428-440), one of the leading figures of the Cyrillians,

⁴⁸⁵ Ch.4.1.iii.

⁴⁸⁶ A council in which the Gospel-book is again used. See Thesis Conclusion.

⁴⁸⁷ Millar, 2011:64,67.

⁴⁸⁸ Graumann, 2011:43; Millar, 2011:60-62; Price, 2011a:70-91; 2011b:92-106.

⁴⁸⁹ ACCh.3:229,231,293.

highlights its use to extract the truth from the witnesses during a session on 26 June in his *Letter to the Clergy of Constantinople* (E431, CV §101).⁴⁹⁰ As such, we can be fairly confident that he acknowledged the authority of the Gospel-book as a truth-extracting tool. The same could probably be assumed for Basil (440-444), who was Memnon's choice to succeed him in the see of Ephesus instead of Bassianus.

Eventually, Bassianus seized the throne and held it for almost four years (444-447/8), but we have no evidence on his disposition to the authority of the book at a conciliar level. We know, however, that he considered it extremely important, judging by how he employs it in his narrative before the bishops in Chalcedon in an effort to give a more dramatic tone to the incident and gain their favour. There he vividly describes how Memnon of Ephesus felt jealous of him, while Bassianus was still a presbyter (c.430), and Memnon "belaboured [Bassianus] with blows at the altar" for three whole hours to the point that "the holy gospel-book was covered in blood and the altar itself" (CHA. s.11, §14).⁴⁹¹

Bassianus was deposed in 447/8 and Stephen (447/8-451) was consecrated in his place in the see of Ephesus. He represented Ephesus both in Ephesus II and in Chalcedon, a council in which the Gospel-book was enthroned and employed in the same way as in Ephesus I. In Chalcedon, we also have the description of another, this time extra-conciliar event (c.447), which demonstrates clearly the authority the book had in Stephen's eyes. Presbyter Cassianus narrates how Stephen, along with Maeonius of Nysa,⁴⁹² "gave [him] the gospel-book and made [him] swear ... that [he] will not leave [Bassianus] but live with him and die with him and not betray him". Despite Cassianus' complaint that he has "never sworn an oath to anyone", and even more now that he was a presbyter, they still "took the gospel-book and gave it to [him], and [he] swore an oath to them" (CHA. s.11, §39).⁴⁹³ It is clear that the book is not used here for its truth-extracting power, but is still employed in combination with an oath to ensure the veracity of one's intentions to undertake a necessary action and bind him to fulfil it.

⁴⁹⁰ ACO 1.1.3:46.

⁴⁹¹ CHA. s.11, §14, ACO 2.1.3:46; ACCh.3:8.

⁴⁹² Nysa was also part of Asia of Asiana, and Maeonius' predecessor was Theodotus of Nysa, who was too on the side of the Cyril in all sessions of Ephesus I.

⁴⁹³ CHA. s.11, §39, ACO 2.1.3:50; ACCh.3:13.

Consequently, it becomes clear that despite its many bishops, the see of Ephesus acknowledged and employed the authority of the Gospel-book in a conciliar and extra-conciliar context, which brings us to the other part of our puzzle: Ephesus II.

THE TWO COUNCILS OF EPHESUS

For Ephesus I, little needs to be written here given that I devoted the whole of Part I to analyse the employment and authority of the Gospel-book by the Cyrillians. There we saw how Cyril enthroned it in the middle of the assembly to manifest Jesus Christ's presence and presidency over the council, and how he later attributed the conciliar decisions to Christ as speaking through the Gospels and bringing the truth to light. As such, all testimonies were to be given over the Gospel-book, and the atmosphere of a divine court he created made the bishops feel as testifying before the victimised omnipotent Son of God, who judges everyone in this life and in the Second Coming.

In Ephesus II, we have a quite similar setting, with similar topics and argumentation, with oaths and testimonies, and yet with a major difference; in its Acts we have no references to an enthronement of the Gospel-book or its involvement in the truth-extracting process, which is extremely puzzling given that Dioscorus clearly intended to make his council appear as the natural sequel of Ephesus I and himself as the new Cyril.⁴⁹⁴ He also declared his council as "ecumenical" and had the support of the Emperor in this. As such, we would expect him to use the Gospel-book in the same way Cyril did, regardless of whether it was Cyril who initiated this custom, or whether this was a tradition already established since Nicaea. But the Acts of Ephesus II are completely silent on the matter, both in the first session (8 August) surviving in the Acts of Chalcedon, and the second session (22 August) surviving in the Syriac Acts, as well as the documents around them.

More specifically, Ephesus II, similarly to Ephesus I, is also summoned by the Emperors to investigate and establish "(The True) Religion" and the "so precious to God ... True and Orthodox Faith", because "to neglect a matter of this kind" would be considered "disgraceful" and would "dishonour ... God Himself".⁴⁹⁵ The heretics

⁴⁹⁴ *ACCh*.1:30-37.

⁴⁹⁵ *ACE449*:3-6.

are presented as attacking the Son of God,⁴⁹⁶ and it is the council's duty to protect him by condemning them, because "the Lord of all, God The Word and Saviour, submits Himself to [the council] for judgment, and when [the bishops] are judging, He is present among [them]".⁴⁹⁷ The bishops therefore act as judges⁴⁹⁸ and, according to Dioscorus' argumentation and count Elpidius' instruction, Jesus Christ is in their midst⁴⁹⁹ and the Holy Spirit present.⁵⁰⁰ God, either as Trinity or as Christ and/or as Spirit, speaks the truth through the synod and its decrees.⁵⁰¹ The "TRINITY ITSELF"⁵⁰² (bears witness) pronounces, through their (the Synods') mediation"⁵⁰³ and Jesus Christ appears invoked by Eutyches "as a witness of his thoughts and speech".⁵⁰⁴ The condemnation of the heretics is certain and usually bears four characteristics: a) it is self-inflicted, as the heretics have brought it on themselves;⁵⁰⁵ b) it comes from Christ himself⁵⁰⁶ and c) the Synod,⁵⁰⁷ and d) it is eternal as it affects this life and the one to come.⁵⁰⁸

To these should be added a statement made by Dioscorus in the first session of Ephesus II and preserved in the Acts of Chalcedon:

"I have this to add, which is fearful and awesome: "If", it says, "a man sinning sins against a man, they will pray for him to the Lord; but if he sins against the Lord, who will pray for him?" (1 Sam. 2:25) If then the Holy Spirit sat together with the fathers, as indeed he did, and decreed what they decreed,

⁴⁹⁶ ACE449:127,134-136,140,144-145,182,184,253-258,359-363,407,419.

⁴⁹⁷ ACE449:127,134,140,144-145,182,184,253-258,359-363,407.

⁴⁹⁸ ACE449:164,(171),252,359-363,407.

⁴⁹⁹ ACE449:347,407.

⁵⁰⁰ ACE449:419.

⁵⁰¹ ACE449:207-209,307,419.

⁵⁰² The uppercase here is the source's.

⁵⁰³ ACE449:209.

⁵⁰⁴ ACE449:433.

⁵⁰⁵ ACE449:134,139-140,144-145,164,182,184,407.

⁵⁰⁶ ACE449:134-136,407,419. In the Acts of Ephesus II there are four more references to the role of Jesus Christ as a judge, however they do not refer to Christ's role as a judge in Ephesus, but to his Second Coming, and they do not belong to those assembled in Ephesus, which is the reason why I have not included them above: 227,304,377-379,441-442.

⁵⁰⁷ ACE449:127,134-136,140,144-145,182,184,253-258,359-363,407.

⁵⁰⁸ ACE449:134,140,144-145,207-209,407.

whoever revises those decrees rejects the grace of the Spirit.’” (E449, CHA. s.1, §145)⁵⁰⁹

Consequently, the similarities between the acts of Ephesus I and Ephesus II in their thematic and argumentation become apparent, which are reasonable for a council understanding itself as the successor of Ephesus I to the point that it was assembled in the same city and the same church.

However, despite the similarities, we have no references to an enthronement⁵¹⁰ or employment of the Gospel-book in the conciliar procedure of Ephesus II, which is even more striking given that we again have oaths and testimonies in the centre of the room,⁵¹¹ as well as that the council convened in the church of St Mary. So the Gospel-book should have been there, at least on the altar, for the liturgical needs of the congregation. All references of the Acts to the book are for extra-conciliar incidents reported in the council and which are irrelevant to the conciliar procedure *per se*.

More specifically, three clerics send to Ephesus II *Libels of Indictment* against their bishop Sophronius of Tella⁵¹² and accuse him of magery, like the “ordeal of bread and cheese” (τυρομαντεία), the “divining cup” (κυλικομαντεία) and for having some people, who he suspected that had stolen his gold, “take an oath upon the Evangelists (in the matter)”. Similarly, he is further accused by the same clerics that in another instance he had a “lad confess on oath upon the Evangelists, along with his Father and Mother, in the presence of witnesses ... [and] affirm that the circumstance took place exactly as it was visioned to the lad”.⁵¹³ Even though it is clear here that Sophronius is employing the Gospel-book extra-conciliarly to

⁵⁰⁹ ACO 2.1.1:89; ACCh.1:155.

⁵¹⁰ As a matter of fact, every time the word “throne” is used, it is only to refer to the “episcopal throne/see” of a bishop: ACE449:56,74,86,128,141,160,183,289,303-304,311,352,365-366,397, 446. There are three more instances of the word in the Acts, but it is to refer to Christ’s throne in Heaven and come from sources unrelated to the conciliar procedure in Ephesus II: ACE449:194,234,377.

⁵¹¹ Some oaths are by witnesses to affirm the truth: ACE449:102,106,110,253. Some others to bind themselves to an action, and most oaths are by the name of the Holy Trinity and Emperors: ACE449:66,74-83,109,130,197,322. The Acts of Chalcedon attest that Dioscorus also swore an oath that he would read Leo’s letter, but he perjured: E449, CHA. s.1, §90-91; s.3, §94, 98; ACO 2.1.1:83-84; 2.1.2:29; 2.3.2:83; ACCh.1:148; 2:70,111.

⁵¹² Tella, also known as Constantia or Constantina, belonged to Osrhoene of the diocese of Oriens. ACCh.3:229,232,301.

⁵¹³ ACE449:191,194-195.

extract the truth, it is not clear whether his clerics consider his actions in both incidents as evidence of magery in their case against Sophronius in Ephesus II,⁵¹⁴ or if they identified the Gospel-book as Christ or simply as the "Evangelists".⁵¹⁵ And the fact that Ephesus II eventually decided to defer his case to the new bishop of Edessa is not helpful either as to the synod's disposition to the Gospel-book.⁵¹⁶

In a similar manner, another cleric submits to the council a petition and complaint against bishops Domnus of Antioch and Uranius of Emesa, accusing the latter for seizing the throne of Emesa and the former for uncanonically ordaining him. According to their accusation "the God-loving Bishops of Phoenicia Libanensis (secunda) were, according to the Canons, imposing hands (in Ordination) on the God-fearing Bishop Peter", but "Uranius ... ventured to seize the Throne of the Church aforesaid in violation of the Canons, –no prayer at the time being made or invocation for Divine Grace– Jews and Pagans and Mimics having helped him for that purpose and placed simply the Holy Gospel on his head".⁵¹⁷ Neither here is it clear whether part of the accusation was the employment of the Gospel-book in the act of ordination and why the cleric feels the need to highlight it in contrast to the imposition of hands practiced by the bishops of Phoenicia Libanensis.

Consequently, it becomes evident that the acts of Ephesus II in the Acts of Chalcedon and the Syriac Acts are not very helpful in revealing what was the council's view on the Gospel-book and whether they enthroned or employed it in the conciliar procedure, as one would expect. Neither can we be certain why we have no references of it in them, especially taking into consideration my analysis above on how Ephesus II attempted to mirror Ephesus I, which almost guarantees the presence of the Gospel-book in the synod.

⁵¹⁴ It could be, given their need to highlight the employment of the Gospel-book, which they could have omitted otherwise.

⁵¹⁵ Although this can simply be an issue with the Syriac translation of the original Greek, given that in other instances too in the Acts we find the word "Evangelists" rather than the word "Gospels". See my earlier footnote on Ch.4.1.ii.

⁵¹⁶ *ACE449*:198.

⁵¹⁷ *ACE449*:310-311.

POSSIBLE REASONS FOR THE ABSENCE OF GOSPEL-BOOK FROM THE ACTS OF EPHESUS II

In the lack of definite evidence, one can only make assumptions about the absence of references to the Gospel-book in the Acts of Ephesus II. One plausible explanation is that Dioscorus, unlike Cyril before him, had the full support of the Emperor and felt so powerful that he did not feel the need to invoke the authority of the Gospel-book, especially given that he felt confident enough to not even follow a proper ecclesiastical and judicial procedure, as articulated earlier (i.e. hold an ecumenical council without the Roman See, give to the accused the right to defend themselves). As such, the Gospel-book would be of little use to him, and even if he used it in the centre of the room, he did not feel the need to highlight its presence in the Acts.

At the same time, another very reasonable explanation for the absence of references to the book could be precisely due to the fact that we do not have a fully surviving body of the Acts. The Syriac Acts preserve only the second session and the documents around the council, but completely omit the first (8 August). According to Price, this is because the sixth-century Miaphysites, who considered the council ecumenical and produced the Syriac acts, strongly disapproved of the first session and did not want to remember it because it rehabilitated Eutyches that they themselves condemned.⁵¹⁸ The first session, however, survives extensively, although not completely, in the Acts of Chalcedon. Even as such though, what is missing is the opening of the council, and based on the evidence of the other councils (with the exception of Ephesus I that initiates this practice and records this enthronement in the documents after the council), the presence of the Gospel-book is usually highlighted for rhetorical reasons in the beginning of a council (CHA. s.1, §4) or a session (C448 s.7 as in CHA. s.1, §458, §720; CHA. s.4, §2; s.12, §7-8).⁵¹⁹ As such, it is possible that any references to the Gospel-book in Ephesus II were accidentally omitted in the Acts of Chalcedon and the Syriac Acts, precisely because the part where we would most expect to find the Gospel-book is missing.

Finally, aside from this accidental omission of the references to the Gospel-book in the first session of Ephesus II surviving in the Acts of Chalcedon, we can in no way exclude the possibility that the role and the authority of the Gospel-book were

⁵¹⁸ *ACCh*.1:31.

⁵¹⁹ *ACO* 2.1.1:65,137,166; 2.1.2:92; 2.1.3:53-54; *ACCh*.1:129,215,252; 2:125; 3:20.

intentionally silenced by the editors of the acts. As it has already been argued, the Acts were meant to serve as a means of propaganda. At the same time, the Acts of Chalcedon not only demonstrate the Chalcedonian effort to revoke the decisions of Ephesus II, but they also try to downplay Theodosius II's role and engagement in the summoning and decision-making of Ephesus II, out of respect to the recently deceased and "[now] among the saints" Emperor,⁵²⁰ who had also summoned Ephesus I. In a setting like this, and with the authority of the Gospel-book employed to theologically legitimise the decisions of Ephesus I, the Home Synod, the Synod of Constantinople and Chalcedon, it is not unlikely that the Chalcedonians purposefully silenced any references to the book in surviving extracts of Ephesus II. This could be as part of an effort not only to revoke Ephesus II's authority, but to also protect the Gospel-book and Jesus Christ from being employed by and associated with heretics and criminals that were claiming that they were led to the truth by the Son of God and had his full support with him in their midst. In other words, it would be extremely disgraceful to the Gospel-book, to Christ and even to Cyril who established this truth-extracting practice to preserve a narrative in which the book was used to bring the truth to light, only to lead the bishops and the council to an untrue and erroneous decision.

The argument on the intentional removal from the Acts of Chalcedon of anything that would validate Ephesus II points also another fact. The Greek Acts are omitting a part which has nevertheless survived in Latin.⁵²¹ In the end of the first session of Ephesus II in which Barsaumas (uncanonically) pronounces his decision against Flavian and Eusebius, while alluding possibly to the Gospel-book as "fear of God":⁵²²

"Barsaumas presbyter and archimandrite, with the monk Eusebius acting as interpreter, said: 'I too, following the holy fathers who met at Nicaea and previously at Ephesus and now your holinesses, view as condemned Flavian formerly bishop of the city of Constantinople and Eusebius, who have been

⁵²⁰ This way of referencing to Theodosius II is repeated many times in Chalcedon to show the bishops' respect to the late Emperor.

⁵²¹ *ACCh*.1:345⁵⁰³.

⁵²² Ch.7.4.

condemned by you, since I recognize that the acts of your holinesses have been performed according to the fear of God.'" (E449, CHA. s.1, §1066)⁵²³

However, in the lack of clear statements that would reveal the Gospel-book being present and employed in Ephesus II, one can only make assumptions.

iv. Constantinople

Having already examined the sees and councils in which the Gospel-book is scarcely (if at all) mentioned, I would like now to turn to the council and the see that produces most evidence regarding the enthronement and the employment of the Gospel-book in the course of its councils, that is the see of Constantinople.

In Chapter 1, I already argued how it is probable that the see of Constantinople, as well as the majority of the sees before Ephesus I, did not observe a tradition of enthroning the Gospel-book, identifying it as Jesus Christ and employing it in the conciliar procedure. I also argued that an allusion to this could be the narrative of Besa's *Life of Shenoute* in which Nestorius is portrayed to pick the Gospel-book from the throne and lay it down on the floor, just to be immediately punished by Shenoute and the Son of God. But by the year 448, when the Flavian Home Synod is assembled, we find the Gospel-book enthroned in the room in a gradually more active role, which attests to the establishment of the practice initiated in Ephesus.

THE THREE COUNCILS OF CONSTANTINOPLE (448, 449, 451)

More specifically, in the Home Synod of Constantinople of 448, the Gospel-book is mentioned twice: once in the sixth session, when two presbyters are summoned to "relate over the holy gospels what they heard from Eutyches" (C448 s.6, CHA. s.1 §447)⁵²⁴ and once in the opening of the seventh session before the trial of Eutyches in which we are informed of "the presence of the holy and dread gospels" in the room (C448 s.7, CHA. s.1. §458, §720).⁵²⁵

⁵²³ ACO 2.3.1:252; ACCh.1:358. Compare to ACO 2.1.1:194; ACCh.1:358.

⁵²⁴ ACO 2.1.1:135; ACCh.1:213.

⁵²⁵ CHA. s.1 §720 is a quotation of §458. ACO 2.1.1:137,166; ACCh.1:215,252.

The next year, in the Synod of Constantinople of 449, the Gospel-book is mentioned six times in two separate occasions, both of which, however, require the participants to affirm the truth over the Gospel-book. In the first incident, the tribune and notary Macedonius “produce[s] the holy gospel-book” to the bishops and conveys them the orders of Theodosius II that they should “declare under oath, when the minutes are read, whether the testimonies of each of the two parties [i.e. those in favour and against Eutyches] are authentic” (C449b, CHA. s.1 §569).⁵²⁶ To the practice still being gradually established attests Basil of Seleucia’s protest that “never till now have we heard of oaths being required of bishops” (C449b, CHA. s.1 §570),⁵²⁷ as discussed elsewhere.

Later in the same session, the Gospel-book will be mentioned five more times, when bishop Thalassius in turn takes the initiative and requests that “since the gospel-book was placed before all of [the bishops]” it should also be placed before presbyter John so that he “guarantee[s] what he says upon the gospel-book” even though his “reputation ... [is] sufficient” (C449b, CHA. s.1 §640 twice).⁵²⁸ In his testimony, John refers to the Gospel-book in a way to express his “respect for the holy gospels” and also in order to show how this respect is translated in practice by “check[ing] every detail and adher[ing] to the word of truth” (C449b, CHA. s.1 §641, §654).⁵²⁹ As a matter of fact, he even expresses his confidence that if Eutyches was present in the synod, as he should, he would not refute the veracity of John’s testimony “in the presence of the gospels” (C449b, CHA. s.1 §644).⁵³⁰

Finally, two years later in 451, Chalcedon is summoned and the Gospel-book plays a major role in the conciliar and juridical procedure, which is evident by the fact that it is mentioned and employed more times than in any other council in the past. There are thirteen references to the Gospel-book, some of which to highlight its enthronement (CHA. s.1 §4; s.4 §2)⁵³¹ or its conveyance to the centre of the

⁵²⁶ ACO 2.1.1:152; ACCh.1:233.

⁵²⁷ ACO 2.1.1:152; ACCh.1:233.

⁵²⁸ ACO 2.1.1:158; ACCh.1:241.

⁵²⁹ ACO 2.1.1:158,162; ACCh.1:241,245.

⁵³⁰ ACO 2.1.1:160; ACCh.1:243.

⁵³¹ ACO 2.1.1:65; 2.1.2:92; ACCh.1:129; 2:125;

council (CHA. s.12 §7),⁵³² others to appeal to its authority to secure truthful testimonies (CHA. s.1 §855, s.CD, §4; s.10 §20),⁵³³ others to reach and secure a God-guided decision on matters of faith (CHA. s.4 §8; s.5 §12)⁵³⁴ or on judicial issues (CHA. s.12 §8 twice),⁵³⁵ while other times as part of a narrative pointing towards to the significance of the book to create an impression and influence the outcome of a decision (CHA. s.11 §14, §39 twice).⁵³⁶

Consequently, the gradual establishment of the Gospel-book in the conciliar and judicial procedure of the ecclesiastical councils becomes evident based on the increasing and all the more variable references to it in the councils held in capital of the Empire. From the scarce references to it in the Cyrillian session, and mainly the documents produced after it, in Ephesus I, to the two, six and thirteen references to it in the councils of Constantinople/Chalcedon in 448, 449 and 451.

We will return to the employment of the Gospel-book in these councils in the later chapters of Part II. Here it is worth examining how a tradition possibly established by the archbishop of Alexandria in Ephesus was passed to the rival see of Constantinople and later the other parts of the Empire, to gradually lead to the establishment of the Gospel-book as a fundamental, irremovable and absolutely necessary element of the conciliar and juridical procedure in the centuries that followed.

THE ARCHBISHOPS OF CONSTANTINOPLE (349-458)

I have already demonstrated how John Chrysostom (349-407) was heavily criticising the employment of the Gospel-book in the extraction of truth or the swearing of oaths. And as I have already argued,⁵³⁷ the *Life of Shenoute* presents an image of Nestorius as someone who comes from a tradition and a see that shows no respect for Jesus Christ and the Gospel-book as an object. So it is particularly interesting to present my understanding of how the Gospel-book was eventually established in the councils of Constantinople.

⁵³² ACO 2.1.3:53-54; ACCh.3:20.

⁵³³ ACO 2.1.1:180; ACCh.1:270; ACO 2.1.3:18,100; ACCh.2:166,275.

⁵³⁴ ACO 2.1.2:93-94,124; ACCh.2:127,198.

⁵³⁵ ACO 2.1.3:54; 2.3.3:63; ACCh.3:20.

⁵³⁶ ACO 2.1.3:46,50; ACCh.3:8,13.

⁵³⁷ Ch., 1911:709.

In 431, Constantinople had not yet been elevated to a patriarchate, but it was also not part of or subject to the authority of any other see of the Empire. It was rather overseen by the prefect of the city and answerable directly to the Emperor himself.⁵³⁸ With Nestorius deposed by Ephesus I, a new archbishop had to be appointed to the see of Constantinople. This was Maximian (431-434), who was consecrated archbishop of Constantinople in October 431. By then Cyril had already gained the favour of the emperor and he was present in Maximian's consecration, something that cannot be said for the Easterners who were not invited. They also did not approve of Maximian, as they continued to hold Nestorius as the legitimate archbishop of Constantinople. Maximian held Cyril in very high esteem, which is evident in their correspondence and Maximian's "high eulogium on Cyril's constancy in defending the cause of Jesus".⁵³⁹ In Maximian's words from his only surviving letter:

"You [Cyril] acknowledged him [Christ] before men; [and so] you have been acknowledged by him in the presence of the Father and the holy angels. You have won crowns on behalf of piety. Through empowerment by Christ you have prevailed in everything." (*Letter to Cyril of Alexandria*)⁵⁴⁰

Aside from praising Cyril's theology, it is possible that Maximian refers to Cyril's physical act of enthroning the Gospel-book as Jesus Christ in Ephesus I. Aside from this assumption, though, what is clear is his reverence for Cyril, his theology and his efforts to defend the faith. It is possible that thanks to this reverence, Maximian adopted Cyril's treatment of the Gospel-book and established it in Constantinople. After all, it was Cyril who protected Christ, and it was Christ who empowered Cyril to "prevail in everything", that is all the hardships he went through during and after Ephesus in his efforts to validate as authoritative its decisions.

The establishment of the Gospel-book in Constantinople must have also helped Theodosius II's actions in 432 that enforced the rulings of Ephesus I. The latter's absolute conviction on the authority of the Gospel-book is evident also by the fact that it is he who forces the bishops to swear an oath on the book, so as to ensure

⁵³⁸ *ACCh*.3:229,231,296.

⁵³⁹ Sinclair, 1911:709.

⁵⁴⁰ Maximian of Constantinople, *Letter to Cyril of Alexandria*. Mansi, 5:257-260.

that they will testify truthfully in the Synod of Constantinople of 449 (C449b, CHA. s.1, §569).⁵⁴¹

Maximian died in 434 and was succeeded by Proclus (434-447), who enjoyed the approval of both Cyril and John. Proclus was already sharing the same Christology with Cyril, as evident by his sermon on the Incarnation, that was later included in the Acts of Ephesus, and his defence of Mary as *Theotokos* while Nestorius was still on the throne. So it is very possible that he was happy continuing the practice of an enthronement and employment of the Gospel-book as Jesus Christ, which was initiated by Cyril in Ephesus and established in Constantinople by Maximian and Theodosius II.

Upon Proclus' death in 447, Flavian (447-449) became his successor on the see of Constantinople. By this time, the status of Ephesus and Cyril were already well-established, as was the status and the position of the Gospel-book in the capital, a fact attested by the acts of the two Flavian synods examined above in 448 and 449.

With Flavian's deposition in Ephesus II, Dioscorus had the opportunity to consecrate Anatolius (449-458) as the new archbishop of Constantinople. Anatolius was born and raised in Alexandria. He was ordained as deacon by Cyril and then became Dioscorus' secretary and representative (*apocrisiarius*) with the Emperor in Constantinople.⁵⁴² He even participated in Ephesus I, which means that he was very well aware of the authority and employment of the Gospel-book, as he was part of the same Alexandrian tradition as Cyril, Dioscorus, Shenoute and Isidore of Pelusium. With the Gospel-book already present in the see of Constantinople for almost two decades, with the status of Ephesus I and Cyril established, and with Anatolius being the clerical president of Chalcedon (along with the papal legates), it is no surprise that the Gospel-book is enthroned again in the middle of the room, and frequently employed in the process.

Finally, to conclude this section on the gradually increasing presence and significance of the Gospel-book in the councils after Ephesus I, Anatolius was in turn able to consecrate a person of his choice, this time on the see of Antioch.⁵⁴³ This person was Maximus II (449-455), a cleric of Constantinople, who would

⁵⁴¹ ACO 2.1.1:152; ACCh.1:233.

⁵⁴² ACCh.1:38.

⁵⁴³ ACCh.1:38.

replace the deposed by Dioscorus Domnus II. It is through this route, as well as through Emperor Leo's edict in 469, that we could explain a possible establishment of the Gospel-book as Jesus Christ in the midst of the Antiochian councils in a diocese from which we have no conciliar evidence of the book, at least up until Domnus II's episcopacy.

4.2 THE QUESTION ABOUT THE PRESENCE OF THE GOSPEL-BOOK IN THE COUNCILS AND THE CENTRE OF THE ROOM

I think that I have sufficiently argued above for the enthronement and employment of the Gospel-book in some councils after Ephesus I, as well as the absence of this practice from some others. However, there are two more points that need to be examined here for us to have a fuller image of the gradually established presence and authority of the Gospel-book in these councils:

- a) In the councils that did not employ the Gospel-book, was the book completely absent from the room?
- b) In the councils that mention the Gospel-book, was the book enthroned and employed in every session? And when it was, was it positioned stationary in the centre, as an awe-inspiring object that no-one was allowed to touch and over which people would testify, or was it more actively engaged in the process giving an earthly, along with the divine, dimension to the authority of the book?

As we have already seen, modern scholarship takes for granted the enthronement and possibly the employment of the Gospel-book in the Church councils after Nicaea.⁵⁴⁴ However, as I have already explained in Chapter 1 and here, this was probably not the case. Even by the time of Chalcedon the practice is still under development and in no way fully established in every council throughout the Eastern and Western Empire.

i. The permanent presence and occasional employment of the Gospel-book in the Church councils after Ephesus I

The first council of Ephesus (431), the Home Synod of Constantinople (448), the Synod of Constantinople (449) and the council of Chalcedon had clearly enthroned the Gospel-book in their midst and employed it, at least in the most important of their sessions, as we are informed by their Acts. The council of Tyre and Berytus (449) also offers evidence of the book's presence and employment in the conciliar procedure, even without a reference to a possible enthronement. But our sources are completely silent about the presence of the Gospel-book in the other fifth-century councils. However, despite this, we can be reasonably confident that the

⁵⁴⁴ Ch.1.

Gospel-book was always present in the room (or at least in proximity) in these councils, even though not enthroned in their midst or employed in the conciliar procedure. The reason I claim this is that these councils were almost always assembled in churches, or parts of churches, at least based on the available evidence; and a Gospel-book must have probably been placed on the altar for the needs of the local congregation.

The presence of the Gospel-book on the altars and churches is attested by several sources, like John Chrysostom in Antioch of 387,⁵⁴⁵ bishop Bassianus in Ephesus c.430⁵⁴⁶ and presbyter Cassianus in Constantinople/Ephesus c.447.⁵⁴⁷ As for the councils held in churches, Ephesus I and II were seated "in the most holy church called after Mary".⁵⁴⁸ The Home Synod of 448 was "convened ... in the episcopal consistory" of Constantinople,⁵⁴⁹ and the Synod of Constantinople of 449 was first (8 April) seated in the "in the holy baptistery" of Hagia Sophia," and then (13 April) "in the Great Portico of the most holy church" of the capital,⁵⁵⁰ as was the council of Chalcedon "assembled in the most holy church of the holy martyr Euphemia".⁵⁵¹ The synod of Berytus (449), originally summoned in Tyre, was also held "in the new episcopal palace of the most holy new church of Berytus".⁵⁵² Finally, the synod of Antioch in 445 also took place "in the most holy church of Antioch, in the portico of the summer consistory",⁵⁵³ so even though it makes no mention of the Gospel-book in its proceedings, the book must have been there in proximity.

Consequently, it becomes evident that it was very probable for the Gospel-book to have been in the same room in which these councils were sheltered. However, this presence of the book in the same room or building does not say much on its own about the importance and the authority of the Gospel-book. This is because, on one hand, this authority is revealed when the Gospel-book is positioned in the

⁵⁴⁵ *Hom.* 15, §5, PG 49:160.

⁵⁴⁶ *CHA.* s.11, §14, *ACO* 2.1.3:46; *ACCh.*3:8.

⁵⁴⁷ *CHA.* s.11 §39, *ACO* 2.1.3:50; *ACCh.*3:13.

⁵⁴⁸ E449, *CHA.* s.1, §68, *ACO* 2.1.1:77; *ACCh.*1:144.

⁵⁴⁹ C448 s.1 and s.6, *CHA.* s.1, §223 and §445, *ACO* 2.1.1:100,135; *ACCh.*1:169,212.

⁵⁵⁰ C449b, *CHA.* s.1, §555, *ACO* 2.1.1:148; *ACCh.*1:229.

⁵⁵¹ *CHA.* s.1, *CHA.* s.1, §2, *ACO* 2.1.1:55; *ACCh.*1:122.

⁵⁵² TB449, *CHA.* s.10, §28, *ACO* 2.1.3:19; *ACCh.*2:277.

⁵⁵³ A445, *CHA.* s.14, §15, *ACO* 2.1.3:69; *ACCh.*3:44.

middle of the assembly, as I will argue later,⁵⁵⁴ while on the other by the way it was used by the council's participants. After all, as we will also see later,⁵⁵⁵ other religious and maybe secular objects were also present in the room (e.g. cross, icons, altar, Holy Gifts etc.) but they do not possess the same authority as the Gospel-book, because they are neither positioned in the middle, nor used by the participants in the conciliar procedure, as it will be shown in the next paragraph. In short, the presence of the Gospel-book in the room does not guarantee its authority; what guarantees it and reveals its significance is when people appeal to it and make it part of the conciliar procedure, and especially when the Acts take the time to highlight the book's employment to influence the readers in a specific way, as argued elsewhere.⁵⁵⁶

ii. The still-developing employment, but established authority, of the Gospel-book

So far, I have argued that the Gospel-book was most probably present in every Church council of the time, but it was not enthroned or employed in all of them. Its enthronement in the midst of the room must have been subject to the personal disposition, tradition and theological affiliations of the bishop presiding over the council, and not a widespread practice throughout the empire. However, it is one thing to enthrone an object in the middle of the assembly to "stationary" manifest Jesus Christ, create a setting of divine judgement and intimidate people into speaking the truth for the sake of their souls by making them feel as if they are testifying before the Son of God himself; and it is another thing to "actively" employ the book and its authority in the conciliar procedure, invoke it and apply it in new creative ways in the course of the council, as happens in the Acts of Chalcedon. The former, which is the main aspect of its authority as an object manifesting God and extracting the truth, is fairly much established by the time under consideration; the latter (its 'active' employment) is still under development as indicated by the absence of a standardised pattern in the book's usage and by the appearance of new ways to use the book in these councils.

⁵⁵⁴ Ch.6.1.

⁵⁵⁵ Ch.6.2.

⁵⁵⁶ Ch.7.1.i.

More specifically, in the three councils of the see of Constantinople that follow, the supreme authority of the Gospel-book as articulated above is a constant; the book is enthroned as God in the midst and people testify before it, so as to feel compelled to speak the truth. This is precisely the same employment of the book established in Ephesus I by Cyril. The book on its own is powerful and valid enough to extract truthful testimonies without the employment of an oath.

The difference, but at the same time similarity, with the practice in Ephesus is the requirement of an oath: even though oaths are not required from witnesses. As the Gospel-book alone is enough to guarantee that the truth will come to light, we still have some very few requests for oath, like the one by Fidus in Ephesus. However, these requests are not of clerical initiative. In the Synod of Constantinople it is the Emperor Theodosius II (through the tribune, notary and referendary Macedonius) who imposes an oath on bishops before they decide on the authenticity of the minutes, a fact that provokes the indignation of Basil of Seleucia who calls such a request completely unheard of!⁵⁵⁷ Later in the same council, bishop Thalassius claims that it is appropriate for the testifying presbyter John to swear an oath on the basis that the bishops had to also take an oath before they testify. While in Chalcedon it is Basil himself, who imitates the now late Theodosius II's employment of the Gospel-book and in turn challenges other bishops to testify on oath. These employments of the Gospel-book in relation to the oath show a development on the book's use in the sense that they attest to an attempt to combine the oath and the book in the extraction of truth; yet the oath is still redundant from a clerical perspective, but necessary from a secular point of view.

Finally, a further development in the book's employment can be found in Chalcedon. The council builds upon Cyril's inheritance of Jesus Christ leading the assembly to a true, blessed and God-directed decision and using the Gospel-book to reach, finalise and validate this decision, be it a doctrinal (as for example in s.5 when the bishops sign the Definition of Faith on the Gospel-book, and also in s.4) or legal/administrative (as for example in s.12). Such a physical and direct contact with the book, as in the case of the Definition of Faith, is an incident first attested, always to the best of my knowledge, in the council of Chalcedon.

⁵⁵⁷ Ch.3.2.ii, Ch.4.1.iv, Ch.7.2.i and Ch.7.4.ii.

THE HOME SYNOD OF 448

The Home Synod of 448 met in the "episcopal consistory"⁵⁵⁸ under the chairmanship of Flavian the archbishop of Constantinople, and as such we would expect the Gospel-book to be there, something that is confirmed also by our sources. However, this was a regular meeting with no intention to examine any doctrinal or legal disputes, so the Gospel-book's role in it should have remained in the background with no direct employment which is evident by the fact that the presence of the book is not highlighted in the opening of the synod. Yet, this meeting eventually turned into a doctrinal-legal examination after it was interrupted by Eusebius of Dorylaeum, who wanted to press charges of heresy against the archimandrite Eutyches.⁵⁵⁹ The book remains in the background throughout the first five sessions of the synod in which the formal indictment against Eutyches is presented by Eusebius (s.1), Cyril's letters from Ephesus are read out followed by declarations of faith by the bishops in the room (s.2), the necessary summonses are sent with presbyters to Eutyches (s. 1, 3, 5) who upon their return report to the council their discussions with the monks from Eutyches' monastery, the same monks also appear and defend Eutyches before the synod asking for leniency (s.4), while other monasteries and abbots send reports against him (s.5).⁵⁶⁰

All these events take place over the Gospel-book which lies most probably in the centre of the room, but is never mentioned. Its presence there is only highlighted twice: once on the sixth session when Eusebius of Dorylaeum invites the presbyters Mamas and Theophilus, who delivered the last summonses to Eutyches, to come forth and "relate over the holy gospels what they heard from Eutyches the presbyter and archimandrite" (C448 s.6, CHA. s.1, §447);⁵⁶¹ and once again in the opening of the seventh session in which Eutyches arrives, is interrogated about his faith and eventually condemned. There we are informed that "the holy and great met again, in the presence of the holy and dread gospels" (C448 s.7, CHA. s.1, §458, §720).⁵⁶² Both occurrences are important in regard to the supreme authority and employment of the Gospel-book, because they both

⁵⁵⁸ ACO 2.1.1:137,166; ACCh.1:215,252.

⁵⁵⁹ ACCh.1:25.

⁵⁶⁰ ACCh.1:26-27.

⁵⁶¹ ACO 2.1.1:135; ACCh.1:213.

⁵⁶² ACO 2.1.1:137,166; ACCh.1:215,252.

reveal the central presence and significance of the book in the synod: the former (s.6) by revealing it as the most powerful and valid truth-extractor during the final testimonies against Eutyches based on which he was condemned, while the latter (s.7) by highlighting the setting of divine court and judgement and creating sharp contrast between God, Eutyches and his impending condemnation.⁵⁶³

THE SYNOD OF CONSTANTINOPLE OF 449

A series of hearings, known as the Synod of Constantinople, were held in April of 449 to examine the accusation against the Flavian synod that its acts were misrepresenting Eutyches' doctrinal views, and as such the archimandrite was condemned unjustly. The first session, on 8 April, was seated "in the holy baptistery of the catholic church", that is the cathedral of Hagia Sophia in Constantinople.⁵⁶⁴ Its minutes have not been preserved, so they can offer no evidence on the presence of the Gospel-book there. However, we can fairly assume that the book was there, not only because the session took place in the cathedral of Hagia Sophia,⁵⁶⁵ and in the city of Flavian, but also because Thalassius of Caesarea presided over it. Even though Thalassius did not participate in the Home Synod of 448 in which the Gospel-book was enthroned, he must have been familiar with this practice and the book's authority on the basis that his predecessor, Firmus of Caesarea (379-439), along with Juvenal of Jerusalem (422-458) attended the first session of Ephesus I on the side of Cyril and their names were among the signatories who ratified Jesus Christ's verdict against Nestorius (E431, s.1, CV §62).⁵⁶⁶

The second session, on 13 April, was held "in the Great Portico of the most holy church", of Constantinople,⁵⁶⁷ yet we have no evidence about where the third session, on 27 April, took place or if the Gospel-book was enthroned there given that it was chaired by the secular official, Flavius Martialis. We can fairly assume though that the Gospel-book was enthroned in the third session too, because we

⁵⁶³ These topics are more extensively examined in Ch.7.1, Ch.7.2, in conjunction with my analysis of the practice in Ephesus in Ch.2 and Ch.3.

⁵⁶⁴ C449a, CHA. s.1, §558, ACO 2.1.1:150; ACCh.1:231.

⁵⁶⁵ ACCh.1:231²⁶⁵.

⁵⁶⁶ ACO 1.1.2:54.

⁵⁶⁷ C449b, CHA. s.1, §555, ACO 2.1.1:148; ACCh.1:229.

know that it was present (and presumably enthroned) in this second session that was also chaired by a secular official, the patrician Florentius.⁵⁶⁸ This is particularly important if we consider that the assembly was seated in a portico and as such there was not an altar in their midst. For the Gospel-book to be in the portico with the bishops means that they intentionally carried it and placed it in the centre.

As soon as Eutyches' representatives were allowed to "enter and take their stand in the centre" in order to defend him, the tribune and notary Macedonius "produced the holy gospel-book" and announced to the assembly that the emperor Theodosius II had "ordered that the most holy bishops who were then present declare under oath, when the minutes are read, whether the testimonies of each of the two parties are authentic" (C449b, CHA. s.1, §569).⁵⁶⁹ According to Price and Gaddis, the monks representing Eutyches were probably required to take an oath too.⁵⁷⁰ To this request, Basil of Seleucia responds by expressing his indignation through the words "Never till now have we heard of oaths being required of bishops, since we are commanded by Christ the Saviour "to swear neither by heaven ..." (C449b, CHA. s.1, §570).⁵⁷¹ This protest, alongside with the fact that the Emperor had to make a particular request for the bishops to swear an oath on the Gospel-book so as to ensure the veracity of their testimonies, as well as that such a practice did not take place in the Home Synod of 448, shows that the joint employment of the oath and the Gospel-book by bishops was not part of the established conciliar-judicial procedure. Alongside the fact that we have no references to an oath being required by the secular officials who preside and testify in the council.⁵⁷² As such, this constitutes an attempted development on the employment of the Gospel-book. It is probable that in doing so, Theodosius II was influenced by his personal experience in the secular courts, where witnesses had to swear oaths before they testify,⁵⁷³ but also Fidus' urging in Ephesus I that the bishops Theodotus and Acacius should accompany their testimonies over the

⁵⁶⁸ ACCh.1:116.

⁵⁶⁹ ACO 2.1.1:152; ACCh.1:233.

⁵⁷⁰ ACCh.1:239²⁷⁴.

⁵⁷¹ ACO 2.1.1:152; ACCh.1:233.

⁵⁷² Further on the probable absence of a necessity for oaths during the testimonies in these councils: Ch.7.2.i.

⁵⁷³ According to Constantine's Constitution of Naissus in 334, and against Theodosius I's edict in 381 that the bishops were not even required to testify in courts, that Theodosius II himself included in his *Codex Theodosianus* published in 438 and enforced in 439: Ch.1.4.iii and Ch.3.2.ii.

Gospel-book with an oath.⁵⁷⁴ Basil's surprise and objection here are genuine,⁵⁷⁵ because as I have already explained in Chapter 3, neither he nor his predecessor Dexianus attended Ephesus I to be aware of this way of employing the Gospel-book in the conciliar procedure.⁵⁷⁶

This development is picked up and continued by bishop Thalassius, who invites presbyter John to swear an oath on the Gospel-book before he testifies. John was not in the room when the bishops were forced to swear an oath, so Thalassius justifies his request by saying that "since the gospel-book was placed before all of [the bishops], it is reasonable for [presbyter John] as well to guarantee what he says upon the gospel-book" (C449b, CHA. s.1, §640; 658).⁵⁷⁷ In other words, Thalassius feels that the bishops were offended and disgraced for being compelled to swear an oath before the testify, as if the presence of the Gospel-book and their episcopal dignity were not enough on their own to guarantee the truthfulness of their words. As such, it would only be appropriate if a lower ranked cleric, like presbyter John, also took an oath on the Gospel-book since his word could not have greater credibility than that of the bishops. Once again, it becomes apparent that having a cleric swear an oath on the Gospel-book before they testify was in no way part of the established conciliar-judicial procedure, and that this joint employment is still under development.

However, what stays constant is the supreme authority of the Gospel-book as an object manifesting Jesus Christ's presence in the council for both the clerics and the secular officials in the sense that the oaths are sworn on the book. At the same time, the book is even more powerful for the clerics, since they highlight its presence in the course of the council, and despite the oaths they were compelled to give, they rather emphasise the presence of the Gospel-book as Jesus Christ. For the clerics, it is the Son of God through the Gospel-book, who guarantees the extraction of truth, and not the oath *per se* (C449b, CHA. s.1, §597, §622, §640-641, §644, §654-658).⁵⁷⁸ This stance on the Gospel-book and the oath is in line with the approach of the Cyrillian synod in Ephesus I, where it is the Gospel-book

⁵⁷⁴ Ch.3.2.ii.

⁵⁷⁵ Ch.4.1.iv, Ch.7.2.i and Ch.7.4.ii.

⁵⁷⁶ Ch.3.2.ii.

⁵⁷⁷ ACO 2.1.1:158,161; ACCh.1:241,245.

⁵⁷⁸ ACO 2.1.1:152,154,158,160,161; ACCh.1:233,236,238-239,241,243,245.

that possesses the supreme authority and the oath has only secondary, if not completely redundant, value.

THE COUNCIL OF CHALCEDON

The council of Chalcedon continues with the same authority of the Gospel-book, in the sense of what it represents, and develops its employment even further. The bishops are "assembled in the most holy church of the holy martyr Euphemia" (CHA. s.1, §2), and the conciliar acts make it clear straight from the beginning that "in the midst was set the most holy and immaculate gospel-book" (CHA. s.1, §4), and everyone was seated around it; the secular officials "in the centre in front of the rails of the most holy sanctuary", on the left were Pope Leo's representatives, Anatolius of Constantinople, Maximus of Antioch, Thalassius of Caesarea, Stephen of Ephesus and the bishops of Orient, Pontus, Asia and Thrace, while on the right were Dioscorus of Alexandria, Juvenal of Jerusalem, Quintillus of Heraclea, Peter of Corinth along with the bishops of Egypt, Illyricum and Palestine (CHA. s.1, §4).⁵⁷⁹

Unlike the Church councils of the past, this time the presidency was appointed by the new Emperor Marcian to a committee of secular officials,⁵⁸⁰ so that they ensure that a proper procedure would be followed, given the very recent, bitter experience left by Ephesus II. As such, it is not clear whether the Gospel-book was enthroned in the midst of every session of the council, especially taking into consideration that only two sessions highlight its enthronement (CHA. s.1, §4; s.4, §2),⁵⁸¹ three more mention it in the course of the procedure (CHA. s.5, §12; s.10, §20; s.12, §7-8),⁵⁸² while it is not at all mentioned in the fourteen other sessions. The position of the Gospel-book in the room becomes even more puzzling by an incident in the twelfth session in which the secular officials, wanting to push the bishops to "pronounce a sentence" regarding the see of Ephesus, they request that "the sacred and undefiled book of the gospels be brought to the midst" and "when the holy gospel-book had been brought, ... [they]

⁵⁷⁹ CHA. s.1, §2 and §4, ACO 2.1.1:55,64-65; ACCh.1:122,128-129.

⁵⁸⁰ ACCh.1:41.

⁵⁸¹ CHA. s.1, §4; s.4, §2, ACO 2.1.1:65; 2.1.2:92; ACCh.1:129; 2:125.

⁵⁸² ACO 2.1.2:124; 2.1.3:18,54; 2.3.3:63; ACCh.2:198,275; 3:20.

address the same request to the holy council, with the venerable gospels before [them]" (CHA. s.12, §7-8).⁵⁸³ Here it is not clear whether the Gospel-book was meant to be absent from this, and possibly other sessions of the council, or whether it had simply been misplaced somewhere in the room from an earlier extra-conciliar usage (e.g. liturgy).⁵⁸⁴ What is clear though is that the secular officials request it quite early in the session, an incident that shows its instrumental significance for them.

What is also clear is the people responsible for introducing the Gospel-book in the council. These people are not the presiding secular officials, but the clerics as evident by the fourth session where "the most glorious officials and the exalted senate said: 'Since we see the divine gospels displayed by your devoutness (εὐλαβείας), let each of the most devout (εὐλαβεστάτων) bishops state...'" (CHA. s.4, §8),⁵⁸⁵ given that "devoutness" and "devout" always refer to clerics. After all, the Gospel-book was a religious object invested with the supreme religious authority, that of manifesting Jesus Christ, and with a gradually developing employment in the Church councils, and as such it is very reasonable that it was brought in by the clerics. This attests further to my argument that such a practice had not yet been established in the secular courts and sphere, as articulated in Chapter 1.⁵⁸⁶

Consequently, the instrumental value of the Gospel-book to the secular officials, its introduction in the council by the clerics, alongside with the council being held in a church, under the jurisdiction of the see of Constantinople, with all the prominent bishops mentioned observing the tradition of enthroning the Gospel-book in the midst of their councils,⁵⁸⁷ and the highlighting of the enthronement of the book in the opening of the Acts of Chalcedon, make it very likely that the Gospel-book was enthroned in every session of the council. And even if it was not, nothing is deducted from its authority, because this authority is exceptionally

⁵⁸³ ACO 2.1.3:54; 2.3.3:63; ACCh.3:20.

⁵⁸⁴ The session was held on Tuesday 30 October 451.

⁵⁸⁵ ACO 2.1.2:93-94; ACCh.2:127.

⁵⁸⁶ Ch.1.4.v.

⁵⁸⁷ For Anatolius of Constantinople and Maximus II of Antioch: Ch.4.1.iv. For Thalassius of Caesarea and Juvenal of Jerusalem: Ch.4.2.ii. For Stephen of Ephesus and Dioscorus of Alexandria: Ch.4.1.iii.

manifested in the times the book is invoked and employed in the conciliar-judicial procedure.

With the authority of the Gospel-book already established and undisputed, its employment is gradually developed and enriched with new ways of utilising the book. Chalcedon, taking over from the councils before it, continues to employ the Gospel-book to manifest Jesus Christ's presence in its midst. The book's truth-extracting authority remains as the spine of the conciliar-judicial procedure, as evident by the witnesses and litigants testifying over the book in the centre of the room. This employment is highlighted in multiple occasions in the course of the council. In the tenth session, the Edessian deacon Theophilus exclaims "Let the truth be revealed at the holy council ... Bishop Photius is here. Let the gospel-book be placed before him." to which Photius of Tyre responds "I shall speak the truth" (CHA. s.10, §20, §22).⁵⁸⁸ In the first session, Basil of Seleucia requests from the secular officials that "each of the metropolitan bishops, those of Lycaonia, Phrygia, Perge and the others, come here and affirm on the gospels (ἐπὶ τῶν εὐαγγελίων εἰπεῖν)" (CHA. s.1, §855).⁵⁸⁹

And what is particularly interesting here, is that Chalcedon continues with the same understanding of the Gospel-book as the most powerful and authoritative truth-extractor without the need of imposing an oath on the witnesses, regardless of their profession, rank and identity. This is the same employment of the book as in the Home Synod of 448, Ephesus I (with the exception of Fidus' request) and what would the Synod of Constantinople have done, if Theodosius II had not imposed an oath on the bishops. Nowhere in Chalcedon have we clear statements that the witnesses had to swear an oath before they testify. On the contrary, we have two attempts to impose an oath on bishops, both in the first session and both coming from the same person, that is Basil of Seleucia who seems to have not yet gotten over the oath imposed on him by Theodosius II in the Synod of Constantinople of 449. He first asks from the secular officials to "Let everyone testify on oath (ὁρκωθῶσι πάντες), let the Egyptian bishop Auxonius testify on oath (ὁρκωθῇ), let Athanasius testify on oath (ὁρκωθῇ)" (CHA. s.1, §851) and then to

⁵⁸⁸ ACO 2.1.3:18; ACCh.2:275.

⁵⁸⁹ ACO 2.1.1:180; ACCh.1:270.

"Let the lord Eusebius [of Ancyra] testify on oath (ὁρκωθῇ)" (CHA. s.1, §855)⁵⁹⁰. It is extremely questionable whether his requests had any success. However, the very fact that he had to make such requests in the course of the council shows that they were not part of the established conciliar procedure (i.e. that all witnesses should take an oath before they testify). This reveals once again the absolute truth-extracting authority of the Gospel-book, as it was enough on its own to guarantee the truth in the clerical assemblies of the time.

The same authority and quality of the Gospel-book is acknowledged by a group of Constantinopolitan monks who had the support of the Syrian archimandrite Barsaumas and were originally not invited to the council. In the session on Carosus and Dorotheus, their petition is read before the council. In this petition, they remind the Emperor of his promise to "assemble the monasteries, and [the Constantinopolitan monks] with them, and in the presence of the holy gospel-book to hear the case between both sides" (CHA. s.CD, §4).⁵⁹¹

But it is not only the truth-extracting authority of the Gospel-book revealed here. As I said earlier, Chalcedon takes the employment of the book and develops it even further by enriching it with new ways to apply its authority of representing Jesus Christ. There are incidents where the book is employed by both the clerics and the secular officials to finalise a decision on doctrinal or judicial/administrative matters. Regarding the latter, I already mentioned earlier how the secular officials in the twelfth session force the bishops into reaching a decision on the dispute over the see of Ephesus between bishops Stephen and Bassianus. They order "the sacred and undefiled book of the gospels be brought to the midst" so that "all [bishops] give a final response" and "pronounce a sentence" (CHA. s.12, §7-8).⁵⁹²

Similarly, on matters of faith, there are two incidents in which the Gospel-book's presence in the room is highlighted, both being of the most important instances of the council. In the fourth session, the presiding secular officials ask from the bishops to declare whether Leo's Tome (and possibly Cyril's letters, judging by the pronouncements of the bishops) is in harmony with the faith established in Nicaea (325) and Constantinople I (381). Before that, all bishops are recorded to have

⁵⁹⁰ ACO 2.1.1:179-180; ACCh.1:269-270.

⁵⁹¹ ACO 2.1.3:100; ACCh.2:166.

⁵⁹² ACO 2.1.3:54; 2.3.3:63; ACCh.3:20.

exclaimed that they share the same unaltered faith and the same unaltered baptism, so the secular officials initiate their request having the Gospel-book as a point of reference: "Since we see the divine gospels displayed by your devoutness, let each of the most devout bishops state..." (CHA. s.4, §7-8).⁵⁹³

The Gospel-book maintains the same fundamental role in confessions of faith in the course of the conciliar procedure, in what is maybe the most pivotal moment of the council. In the fifth session, after the Chalcedonian Definition has been drafted, the bishops "demand that the definition be signed on the gospels" and that "let there be no chicanery about the faith". "The Holy Spirit dictated the definition" and "whoever will not sign the definition is a heretic" and should be "driven out" (CHA. s.5, §12).⁵⁹⁴ This is the first attested time in the history of the Church councils that a doctrinal pronouncement and a confession of faith is signed on the Gospel-book. This reveals the book's continuously developing employment, in the sense that those subjecting themselves to its authority find all the more new ways to put this authority into practice.

At the same time, this employment unveils further the supreme authority of the book as an object manifesting God's presence in the midst of the assembly, His presidency over it, His guidance through the Holy Spirit to the Truth (be it in the form of testimonies, or the form of doctrinal pronouncements), binds their faith and seals their reconciliation over the book. At the same time, it gives everyone around it a sense of shared identity⁵⁹⁵ as being part of the same faith established in the councils of Nicaea and Constantinople and the same tradition established by Cyril in Ephesus I that forms the spine of the orthodox councils until Chalcedon. These aspects will be further examined in the other chapters of Part II, because here my focal point was different, that is the established authority and the gradually developing employment of the Gospel-book in the councils of Constantinople, which I hope I have sufficiently shown.

⁵⁹³ ACO 2.1.2:93-94; ACCh.2:127.

⁵⁹⁴ ACO 2.1.2:124; ACCh.2:198.

⁵⁹⁵ For the relationship between the scrolls and books to the identity of specific religious groups: Ch.1.3.

CHAPTER 5. THE SUPREME SPIRITUAL AUTHORITY OF THE GOSPEL-BOOK BASED ON THE VERBAL REFERENCES TO IT

INTRODUCTION

In the previous chapter, I argued for the gradually increasing presence and significance of the Gospel-book in the councils of the Acts of Chalcedon. In this chapter I argue for the supreme authority of the Gospel-book by examining the way people refer to it in the Acts of Chalcedon. This is necessary not only to demonstrate the book's supreme authority, but also to establish that Cyril's view of the Gospel-book as Jesus Christ has been adopted by the subsequent councils, especially in the absence of clear statements in the *Acts* that associate the book with Jesus Christ. What is also missing are any direct references to the book's authority, which makes it important to extract this authority through the language used in the *Acts*.

For the book's authority to be analysed, I will first establish the validity and importance of the phrases referring to the Gospel-book as a means to extract its authority,⁵⁹⁶ and I subsequently define this authority and argue for its supremacy based on the adjectives used by the participants of the councils that refer to the book of the Gospels.⁵⁹⁷

- For the Clerics, the book has a religious authority, and its supremacy is revealed by the fact that it is God Himself, and hence stands higher than any secular authority.⁵⁹⁸
- For the Secular Officials, the authority of the Gospel-book is two-dimensional with attributes of both the divine and the secular world. This could be partly due to a possible unawareness of the secular officials of what the Gospel-book truly represented. However, the fact that they use both "divine" and "secular" adjectives to refer to it, points more towards to the direction that without negating its religious authority they rather focus on its secular one, because this is the sphere they control and because that way they are able to take the control of the Gospel-book from the clerics and use it to serve their own means. Nevertheless, despite this focus on the "lower" secular field, and not the "higher" religious, the supremacy that the secular officials attribute to the Gospel-book is

⁵⁹⁶ Ch.5.1.

⁵⁹⁷ Ch.5.2.

⁵⁹⁸ Ch.5.2.i.

revealed by the fact that they use adjectives to define this secular authority that are also used to define the authority of the Emperor, the most powerful and authoritative figure of the secular world.⁵⁹⁹

- Finally, for the Minute Keepers and the Editors of the Acts, the Gospel-book not only has religious authority, but also its supremacy is revealed by their subtle promotion of the Gospel-book as an object representing Jesus Christ in the fifth-century councils.⁶⁰⁰

All these are particularly important as they give us a clear image of the supreme authority of the Gospel-book through the verbal statements of the people of the time, independently of the book's usage, which is examined in the other chapters of Part II. The fact that the findings of the independent examination of the verbal references to the book of the Gospels coincide with the findings on the usage of the Gospel-book attests to the overall validity of my argument on the book's supreme authority as an object *per se* in the councils under examination.⁶⁰¹

5.1 THE VALIDITY AND IMPORTANCE OF THE PHRASES REFERRING TO THE GOSPEL-BOOK AS A MEANS TO EXTRACT ITS AUTHORITY

The verbal references are an important and valid indicator of the book's authority, because on one hand they attest that the Gospel-book was enthroned in the room in specific sessions, or was brought in whenever needed to serve a specific purpose in the council (e.g. oath, testimony, signing a decision). At the same time, they show that the participants in these councils and the editors of the Acts felt the need to highlight the book's presence in the conciliar-judicial procedure, rather than ignore it.

This is particularly important especially in comparison to the practice in the Acts of Ephesus, where the Gospel-book is mentioned only once in the procedure of the council, when Fidus of Joppa requests from bishops Acacius and Theodotus to testify under oath over the book in the first session (E431, s.1, §51-53). All other references to the book come from the reports of the Cyrillian side after the end of

⁵⁹⁹ Ch.5.2.ii.

⁶⁰⁰ Ch.5.2.iii.

⁶⁰¹ For the differentiation between the authority of the Gospel-book as an object and it as a content (i.e. Scriptures): Ch.6.2.viii.

the first session. This practice changes in the Acts of Chalcedon, where we find many references to the Gospel-book during the conciliar-judicial procedure.

This manifests an increase in the significance of the Gospel-book by the time of Chalcedon, which becomes even more important taking into consideration that the proceedings of these councils had their own theological and legal significance, and were used as "*instruments of propaganda*", as Graumann argues.⁶⁰² As such, everything included in the Acts of Chalcedon is of great importance and exists there because it serves a specific purpose, either during the process of the council, or to the readers of the acts after their publication. Trivial information is omitted, partly to allow readers to focus on the most important details that serve to the continuity of the procedure, and partly due to practical and financial reasons, as that of not wasting valuable resources of stationery to include valueless material.

This is not hard for us to conceive nowadays, if we consider that these councils operated partly as courts. In a court-room it is the judge who decides which statements should be recorded in the proceedings and which should be omitted. This is evident in the session of 13th April of the Synod of Constantinople (449), where the monk Constantine protests that he "said one word during an uproar, and it was recorded" (C449b, CHA. s.1, §639).⁶⁰³ His complaint to the president of the council shows how the president had the authority to order the recording or the deletion of a statement from the proceedings. Consequently, the fact that the presidents of the councils gave their permission for the references to the Gospel-book to be recorded in the Acts of Chalcedon, and that the editors of the Acts preserved these statements and added their own, testifies to the importance of the Gospel-book and reveal its authority simply by the fact of its existence in the Acts.

However, this does not imply that everything important was included in the Acts, as it is clear that occasionally the compilers of the Acts omitted certain discussions, and especially in matters of faith. The first draft Definition in the fifth session of Chalcedon is suppressed, while it also seems quite improbable that the final version of the Definition and the Tome of Leo were accepted without further discussion.⁶⁰⁴ As is understood, not everything important was included in the Acts, especially if it did not serve the goals of the council and the imperial policy. So the Gospel-book's presence in the Acts shows that it was there because it served the plans of the

⁶⁰² Graumann, 2011:27-44; Price, 2011a:70-91; 2011b:92-106; Millar, 2011:61.

⁶⁰³ ACO 2.1.1:158; ACCh.1:241.

⁶⁰⁴ ACCh.1:40-41,77-78.

imperial agenda, which in turn reveals the Gospel-book's importance and authority as an object of supreme spiritual and practical authority. This supreme authority is further attested by my findings in the other chapters of Part II, where I examine the book's role and practical authority in the councils of the Acts of Chalcedon.

Having this in mind, the importance of the Gospel-book as the object of supreme spiritual authority is further attested by the fact that other objects that one might expect to have had then -or that have nowadays- spiritual authority are not mentioned in the Acts of Chalcedon. The proceedings do not make any reference to the existence of a cross or an icon in the room, nor to its use during the conciliar-judicial procedure, as will be shown in the next chapter. This means that these sacred objects did not play an important role in the procedure of these councils that would make them worthy of being mentioned in the Acts. On the contrary, the Gospel-book's presence and employment are attested, which reveals further its supreme authority.

Another reason why the phrases of the Acts of Chalcedon that refer to the Gospel-book are a valid and important tool for us to extract the authority of the book is because they show the gradually increasing significance of the role of the Gospel-book in these councils. The Gospel-book is used more as we proceed from the earlier councils (Home Synod 448) to the later ones (Chalcedon 451), which shows this increasing significance of the book.⁶⁰⁵

Finally, these phrases not only show the importance of the Gospel-book in these councils, but also help us define this authority by examining and analysing the adjectives the participants use when referring to the Gospel-book; and more particularly the otherworldly holy authority of the Gospel-book as the Word and Son of God, but also the worldly secular authority of the same object in the hands of the Emperor and his representatives.⁶⁰⁶

I think that the aforementioned reasons attest to the validity, the adequacy and the importance of the phrases referring to the Gospel-book as a means to extract its authority. Having established this, I will proceed to the next section where I examine the councils and the frequency with which the Gospel-book is mentioned in the Acts of Chalcedon.

⁶⁰⁵ Ch.4.1.

⁶⁰⁶ Ch.5.2.

5.2 DEFINING THE SUPREME SPIRITUAL AUTHORITY OF THE GOSPEL-BOOK BY GROUP

Having argued for the validity of the conciliar Acts as an indicator of the book's authority, it is now time to define this authority and explain why I consider it supreme. This will reveal the Gospel-book's supreme "spiritual authority" and will act as complementary to its supreme "practical authority" argued in the other chapters of this part.

Given that the councils in the Acts of Chalcedon in which the Gospel-book is clearly mentioned are only three, all held in the same location (Constantinople/Chalcedon) within a short time (448-451), attended by people most of whom considered themselves heirs of the Cyrillian tradition, I will examine the evidence by grouping their participants (i.e. clerics, secular officials, minute-keepers and editors of the Acts), rather than following a chronological order by council (i.e. Home Synod, Synod of Constantinople, Chalcedon). After all, there is no significant difference in the way people refer to and use the Gospel-book in the Home Synod of 448 and Chalcedon in 451.

Nevertheless, grouping so many participants of significantly different backgrounds (Alexandria, Constantinople, Antioch etc.) and professions (clerics and secular officials), entails the risk of generalisations. So what I hope to provide is a representative image of how the majority of the participants viewed the Gospel-book and why it had supreme authority for them, rather than argue that this image was fully shared by everyone in the room. Still there is a significant consistency in the way each group refers to the Gospel-book, supported both by the similarities within each group and by the difference of each group to the others, which validates this approach.

I divide the participants into three groups based on their profession and role in the council: a) the Clerics, b) the Secular Officials, and c) the Minute-keepers and Editors of the Acts. The clerics and the secular officials contribute to the councils by speaking and acting during the sessions, while the minute-keepers and editors of the Acts contribute mainly in writing, by first recording the words and acts of the other two groups, and eventually by editing and publishing the Acts after the end of the councils. Hence the role of each group is clearly distinguishable, as would be expected from court-like councils, even though these roles were sometimes overlapping, like when the bishops and the secular officials preside over a session of a council, when they pass judgement, or when the clerics and

the minute-keepers are invited to testify or confirm something said or written in the council and as such become an active part of the conciliar procedure.

This division becomes even more crucial when one thinks that as each group had a different role to play in these councils, it also had different goals and agendas to put forward (i.e. truth, reconciliation), as well as different means and weapons to achieve these goals (spiritual-religious vs practical-secular authority etc.). In the centre of their struggle for authority lies the Gospel-book as the supreme “weapon” that all three groups try to employ to achieve the desired outcome.

i. The Clerics

The best group to start with in our attempt to define the authority of the Gospel-book and argue for its supremacy is the clerics. Partly because they are the ones bringing the Gospel-book into the room in the council-courts, and partly because they are the dominant group in terms of numbers and because its members actively participate in all of the procedures and the decision-making process. In fact, there are councils and sessions in which the clerics are the only participants, some as witnesses, others as plaintiffs and defendants, and others as presidents and judges. Hence, the authority they attribute to the Gospel-book, as indicated by the way they refer to it, can be taken as representative of the authority the Gospel-book had in the eyes of the fifth-century councils in general, and of the Church in particular. After all, they are the group most closely related to the Gospel-book and also fully aware of its authority.

As such, they invoke the authority of the Gospel-book more than any other participant of the council. Characteristically, of the 25 times the book appears in the acts of the three councils under examination (Home Synod of Constantinople, Synod of Constantinople and Council of Chalcedon), the 13 come from clerics,⁶⁰⁷

⁶⁰⁷ CHA. s.1, §447, §640 (twice), §641, §644, §654, §855, ACO 2.1.1:135,158,160-161,180; ACCh.1:213,241,243,245,270. CHA. s.CD, §4, ACO 2.1.3:100; ACCh.2:166. CHA. s.5, §12, ACO 2.1.2:124; ACCh.2:198. CHA. s.10, §20, ACO 2.1.3:18; ACCh.2:275. CHA. s.11, §14, §39 (twice), ACO 2.1.3:405,409; ACCh.3:8,13.

while the remaining 12 are shared between the other two groups: 4 by the secular officials,⁶⁰⁸ and 8 by the minute-keepers and editors of the acts.⁶⁰⁹

Additionally, another reason why the references of the clerics to the Gospel-book are a very good indicator to define its authority is also the fact that regardless of their rank and office in the Church, or their roles in the councils, they are consistent in their vocabulary. So consistent that it makes it highly unlikely that what they did was random, and reveals that the Gospel-book had one main authority in their eyes: that of being "holy" by manifesting God and as such being superior to any other authority.

THE UNIFORM, ONEFOLD ("HOLY") TWO-DIMENSIONAL (HEAVENLY-EARTHLY) AUTHORITY OF THE GOSPEL-BOOK IN THE EYES OF THE CLERICS

As I argued above, there is an impressive consistency in the way the clerics refer to the Gospel-book, which reveals the uniform, onefold and two-dimensional authority of the book in their eyes, on one hand, and the supremacy of this authority on the other. The acknowledgement of the book's "holy" authority is the same for all clerics, regardless of their rank, the council they participate, or their role in each council. This is further strengthened by the fact that the clerics do not use any other adjectives to refer to the book in the course of the council.

To be more specific, in the sixth session of the Home Synod of Constantinople (448), Bishop Eusebius, acting as a plaintiff against Eutyches, requests "that the presbyters Mamas and Theophilus be summoned to relate over the holy gospels what they heard from Eutyches" (C448 s.6, CHA. s.1, §447).⁶¹⁰

The next year, in the session of 13th April of the Synod of Constantinople (449), it is presbyter John, who acts as a witness in this council. He highlights twice his

⁶⁰⁸ CHA. s.4, §8, ACO 2.1.2:93-94; ACCh.2:127. CHA. s.12, §7 (twice), §8, ACO 2.1.3:53-54; ACCh.3:20.

⁶⁰⁹ CHA. s.1, §4 (twice), §458 (twice; s.1 §720 is a quotation of s.1 §458, so I do not count it), §569, ACO 2.1.1:65,137,152 (166 for s.1 §720); ACCh.1:129,215,233 (252 for s.1 §720). CHA. s.4, §2 (twice), ACO 2.1.2:92; ACCh.2:125. CHA. s.12, §8, ACO 2.1.3:54; ACCh.3:20.

⁶¹⁰ CHA. s.1, §447, ACO 2.1.1:135; ACCh.1:213.

reverence to the "holy gospels" and the "holy scriptures"⁶¹¹ placed before him. The first time, when he checks the veracity and accuracy of the notes he kept when he delivered the Home Synod's summons to Eutyches, and the second time when he guarantees it (C449b, CHA. s.1, §641, §654).⁶¹²

Two years later, in Chalcedon (451), in the session on Carosus and Dorotheus, a petition to the Emperor is presented, sent by a group of monks who supported Eutyches and Dioscorus.⁶¹³ It is read by presbyter Alexander in the council. In it, the monks remind the Emperor of his promise to assemble the monasteries and hear their case "in the presence of the holy gospel-book" (CHA. s.CD, §4).⁶¹⁴ In this incident, which is further analysed in the next chapter,⁶¹⁵ the petitioners Dorotheus and Carosus were both archimandrites in Constantinople, and the people with them were monks, along with the militant monk Barsaumas. They were all supporters of Eutyches, who was also archimandrite in Constantinople, and of Dioscorus the patriarch of Alexandria. They could all be considered strongly pro-Cyrrillians, as evident further by the events in Ephesus II in which most of them participated, and as such adherents of his view on the authority of the book. The extract here highlights also that they too consider the Gospel-book "holy" even though they belong to the side opposing the legitimacy of Chalcedon. Apparent is also their effort to employ the Gospel-book's authority to serve their means, as analysed elsewhere.⁶¹⁶

Finally, in the eleventh session of same council, it is Bassianus, the deposed bishop of Ephesus, who refers to the Gospel-book as "holy". The incident he describes is not conciliar, as it took place c.430, but his description is, which is why I include it here. In Chalcedon, Bassianus claims the see of Ephesus from Stephen accusing their predecessor, Memnon, for abuse.⁶¹⁷ Bassianus, in his attempt to give a very vivid account of his maltreatment to gain the judges' favour, narrates that

⁶¹¹ This is the only instance in the Acts of Chalcedon where the noun "scriptures" is used to refer to the Gospel-book as an object, and not to the content of the book, as happens every other time "scriptures" is used in the Acts.

⁶¹² CHA. s.1, §641, §654, ACO 2.1.1:158, 161; ACCh.1:241,245.

⁶¹³ ACCh.2:165,166⁷.

⁶¹⁴ CHA. s.CD, §4, ACO 2.1.3:100; ACCh.2:166.

⁶¹⁵ Ch.6.2.

⁶¹⁶ Ch.6.2, Ch.7.2 and Ch.7.3.

⁶¹⁷ ACCh.3:1-3.

Memnon "belaboured [him] with blows at the altar, and the holy gospel-book was covered in blood and the altar itself" (CHA. s.11, §14).⁶¹⁸

Consequently, these references to the Gospel-book by two bishops, a presbyter and a group of monks in three different councils reveal not only the "holy" authority the Gospel-book had in the eyes of all clerics, but also the consistency with which they define this authority.

UNVEILING THE "HOLY", SUPREME AUTHORITY OF THE GOSPEL-BOOK AS JESUS CHRIST

Having established that all clerics attributed the same authority to the Gospel-book, based on the way they refer to it, I will now attempt to unveil the meaning of this authority. As we have seen, the only adjective they use is "holy" (ἅγιος/sanctum). As an adjective, it is one of the most frequently used in the Acts of Chalcedon. It describes the quality and authority of persons, things and actions that are directly related to God Himself and to his authority.

Hence, of the approximately 2000 times that "holy" exists in our sources, the vast majority (appr. 800 times) is to describe the authority of the councils. Second most frequent use of the adjective (appr. 500 times) is when referring to the authority of the fathers, mainly those who participated in the councils of Nicaea and Ephesus (especially Cyril) and defined the true faith. "Holy" also accompanies the church, either as a building, a body, or as an administrative area (appr. 120 times); while it is also used, as I have already said, in reference to God (Spirit, Trinity, Christ), the Virgin Mary, the apostles, the martyr Euphemia, the day of Easter and the sacraments (baptism, blood, body, gifts, oil), the faith, religion, holy places (baptistery, martyrion, monastery, sanctuary), the canons and the creeds of the councils. Last, but not least, the adjective is used as an honorific title to refer to the authority and the office of the archbishops and bishops, the highest ranking members of the Church.⁶¹⁹ Only once or twice is the title used in relation to lower ranking clerics, like archimandrites and presbyters.

⁶¹⁸ CHA. s.11, §14, ACO 2.1.3:46; ACCh.3:8.

⁶¹⁹ On the use of the honorifics and their translation: ACCh.1:xi-xii.

The use of "holy" to describe God reveals not only that He is the true bearer of sanctity, but also the source of the quality, the power and the authority given to its other bearers. It is the "holy" God who manifests himself in the "holy" Gospel-book, and it is again he who "holy-fies" and gives his authority to the religious people and institutions, like the Virgin Mary, the apostles, the fathers, the councils, the Churches, the faith, religion, the councils' creeds and canons, the sacraments and the high ranking clerics. Furthermore, the fact that "holy" is used to describe persons and objects that are "sancti" or sanctified, on one hand, but also sanctifying, on the other, reveals the Gospel-book's holy authority as a "sanctum" object sanctifying those around it. This authority becomes even more remarkable if we consider that these councils operated like courts, but at the same time brought in elements of "holy" religious authority, which would be absent from a normal Roman courtroom.

On the contrary, the adjective "holy" is never used to describe the Emperor or the secular officials and as such deprives them from a holy and holifying authority.⁶²⁰ The fourth-century Emperors, and also the ones that followed, considered themselves plainly as Roman Emperors. The first "Holy Roman Emperor" was much later (800 AD), when Charlemagne was crowned by the Pope; as later is also the establishment of the "Holy Roman Empire" (962–1806 AD), which characteristically did not use the Latin word "sanctum" (holy) to describe itself, but the adjective "sacrum" (sacred) and was called "Imperium Romanum Sacrum".⁶²¹ On the contrary, all Byzantine emperors before Heraclius (610-641 AD) were officially called "Augustus" (αὐγουστος), which was the Latin word for majestic. Other titles also used for the Roman emperors were "Dominus", an adjective used after Diocletian (245–311 AD) that meant master or owner, "Imperator" meaning emperor, and "Caesar" which initially originated from Julius Caesar and was later used as a title of all Roman Emperors after 68/69 AD. These

⁶²⁰ There is only one exception in Price and Gaddis's translation of the Acts of Chalcedon where the adjective "holy" is used before bearers of a secular authority, and more specifically the senate. Price and Gaddis translate CHA. s.1, §14 as "When at the bidding of the most glorious officials and of the holy senate..." (ACCh.1:130⁵⁶, but this is probably a mistake, since Schwartz's Greek source has "τῆς ἱερᾶς (sacred) συγκλήτου" (ACO 2.1.1:66), justifying thus my claim that "holy" is never used to qualify any secular authority.

⁶²¹ Bryce, 1978.

make evident that "holy" was never used to describe the Emperors, the officials or any other secular authority, precisely because their authority and jurisdiction was over the human world, and not on the religious divine sphere. Consequently, in all the documents contained in the Acts of Chalcedon, be it letters or conciliar proceedings, we witness a great variety of adjectives that describe the secular authorities (like "venerable", "glorious", "magnificent" etc.), some also related to God ("divine", "sacred" etc.), but with "holy" never being one of them.

Yet, the contemporary interchangeable use of the adjectives "holy", "divine" and "sacred" may make it difficult for the modern reader to distinguish their meanings. However, in the Acts of Chalcedon there is a clear consistency in the way each adjective is used, which shows that each had a different meaning to those speaking Greek in the fifth century. "Ἅγιος/sanctum" (holy) is for people and objects that are directly related to God and that draw their "holy" authority directly from Him.⁶²² "Θεῖος" (divine) is also related to God and the divine nature, without referring to His sanctity though. As a title it is often used in the Acts of Chalcedon to describe the God-given secular authority of the Emperor.⁶²³ "Σεπτός" ("sacred" according to Price and Gaddis' translation) has an even more secular meaning that indicates the one that is revered.⁶²⁴ Hence, it becomes apparent that when the adjective "holy" is used before a noun it is to define the person or thing as a bearer of sanctified (spiritual/passive) and sanctifying (practical/active) authority, an authority received directly by God and distinct from the secular authority of the Emperor, the State and its officials. This reveals the careful use of adjectives by the participants of the councils and the editors of the acts, on one hand, and highlights further the distance between the earthly secular authorities and the godly "holy" authority of the Gospel-book, on the other.

Because the authority of the secular officials is clearly earthly and over only the human affairs. It is given to them by the Emperor and it is limited by the physical world. It does not affect the divine reality, nor the life of their subjects after death.⁶²⁵ In contrast, the "holy" authority of God and those related to him not

⁶²² "Ἅγιος", "ἁγιότης", *GLRB*, 1900:67-68; *PGL*, 1961:18-19; *GEL*, 1968:9.

⁶²³ "Θεῖος", "θειότης", *GLRB*, 1900:572; *PGL*, 1961:788.

⁶²⁴ "Σεπτός", *PGL*, 1961:1229-1230; *GLRB*, 1900:984; *GEL*, 1968:1591.

⁶²⁵ On the authority of the Emperor: Ch.6.2.iii.

only transcends this life and affects the fate of the life after death, but it also transcends this world and controls the divine. But above all, it brings this divine reality on earth through the presence of the Gospel-book in the midst of these councils and sanctifies those around it. As such the onefold "holy" authority of the Gospel-book is two-dimensional: both spiritual and practical, affecting two realities (earthly and divine) and two lives (before and after death). It is an authority both worldly and otherworldly. In this sense, the "holy" authority of the Gospel-book is higher than that of the Emperor, and even though the Emperor is occasionally called "divine", this is simply to show the source from which his authority originates (i.e. God), rather than giving to his authority any actual content and power over spiritual and divine things.⁶²⁶

Finally, even though it has become evident that the only adjective the clerics use to define the authority of the Gospel-book is "holy", what is still not clear from the above is whether this holiness is a quality the Gospel-book possesses given to it by God, as for example is the case with other holy objects and people (e.g. baptistery, monastery, the Virgin Mary, the apostles and others), or if the book bears this authority on its own, by manifesting God. Elsewhere in this thesis, I argued that the councils adhering to the Cyrillian Christology share also his treatment of the Gospel-book; but in Chalcedon we lack clear statements to this. Still the treatment of the Gospel-book as Jesus Christ, the Son of God and supreme judge of the Second Coming, can be extracted from other pronouncements in the course of the three councils in which the Gospel-book is enthroned in the midst.

In the sixth session of the Home Synod of Constantinople (448), archbishop Flavian requests from the presbyters Mamas and Theophilus "having before [their] eyes the fear of God" to "testify truthfully everything [they] heard" (C448 s.6, CHA. s.1, §450).⁶²⁷ In the Synod of Constantinople it is again Flavian who requests from the deacon and notary Aetius to confirm before the Gospel-book the authenticity and accuracy of his notes "with the fear of God" and "as before the judgement-seat of Christ" (C449b, CHA. s.1, §597).⁶²⁸ In a similar manner, deacon

⁶²⁶ Ch.6.2.iii.

⁶²⁷ CHA. s.1, §450, ACO 2.1.1:135; ACCh.1:213.

⁶²⁸ CHA. s.1, §597, ACO 2.1.1:154; ACCh.1:236.

Andrew states in the same session "Since God is seated among you and fear and trembling seize my soul, I cannot depart from the truth" (C449b, CHA. s.1, §667).⁶²⁹ While in the council of Chalcedon, the archbishop Dioscorus expresses his determination to "defend [himself] before God both here and there", meaning both in the council before the Gospel-book and in the Last Judgement, because his "soul is at stake" (CHA. s.1, §332-334).⁶³⁰

To conclude, it becomes evident from the above, not only that in the councils of the Acts of Chalcedon the Gospel-book again bears the authority of manifesting Christ in the midst of the assembly, but also why this "holy" authority is supreme in the eyes of the clerics regardless of rank, council or occasion.

THE ABSENCE OF ADJECTIVES AS EVIDENCE FOR THE ESTABLISHED, SUPREME AUTHORITY OF THE GOSPEL-BOOK

The use of "holy" to define the supreme authority of the Gospel-book is not the only thing to which the clerics are consistent. They are also consistent in the omission of the adjective in many cases. As a matter of fact the instances in which they omit the adjective are more than the ones they do not. This may be surprising, especially considering that the presence of the adjective "holy" reveals the authority of the Gospel-book. Nevertheless, below I will attempt to prove that this absence does not negate, but rather attests to the book's supreme authority.

The uniform and supreme authority of the Gospel-book in the eyes of the clerics despite the lack of definition

The clerics either use "holy" to define the authority of the Gospel-book, or they do not use any adjective at all. They are so consistent in this practice that of the

⁶²⁹ CHA. s.1, §667, ACO 2.1.1:162; ACCh.1:246.

⁶³⁰ CHA. s.1, §334, ACO 2.1.1:120; ACCh.1:194-195²¹¹.

13 times they refer to the book of the Gospels, they do not use any adjective in 8 cases (C449b, CHA. s.1, §640 twice, §644; CHA. s.1, §855; s.5, §12; s.10, §20; s.11, §39 twice),⁶³¹ while they use "holy" only 5 times that we examined earlier in this chapter (C448 s.6, CHA. s.1, §447; C449b, CHA. s.1, §641, §654; CHA. s.CD, §4; s.11, §14).⁶³² This consistency reveals that it was a customary thing to do so, especially when one notices that this practice is common in different councils of that time, among clerics of every rank and on different occasions.

More specifically, in the session of 13 April of the Synod of Constantinople (449), presbyter John testifies what was said during his visit to Eutyches' monastery, when he went there to deliver to Eutyches the Home Synod's (448) summons. Then bishop Thalassius of Caesarea intervenes and requests from presbyter John to "guarantee what he says upon the gospel-book" on the basis that "the gospel-book was placed" earlier before all of the clerics (C449b, CHA. s.1, §640).⁶³³ A while later, and after presbyter John's testimony was read in front of the council, it is presbyter John this time who claims that he does not think that Eutyches would "in the presence of the gospels" reject presbyter John's account of what Eutyches said then (C449b, CHA. s.1, §644).⁶³⁴

Two years later, in the first session of Chalcedon, in which Dioscorus' examination takes place, it is bishop Basil of Seleucia who asks from the president of the council to call forward the bishops of Lycaonia, Phrygia, Perge and the others and have them "affirm on the gospels" that in Ephesus II (449) Dioscorus intimidated them to prevent them from objecting to the condemnation of Flavian (CHA. s.1, §855).⁶³⁵ In the fifth session of Chalcedon again, the bishops are recorded to demand in unison "that the definition be signed on the gospels" to ensure that there will be "no chicanery about faith" (CHA. s.5, §12).⁶³⁶ Later in the same council, in the tenth session, it is the deacon Theophilus who prompts the president of the council that "the gospel-book be placed before" bishop Photius and

⁶³¹ CHA. s.1, §640 (twice), §644, §855, ACO 2.1.1:158,160,180; ACCh.1:241,243,270. CHA. s.5, §12, ACO 2.1.2:124; ACCh.2:198. CHA. s.10, §20, ACO 2.1.3:18; ACCh.2:275. CHA. s.11, §39 (twice), ACO 2.1.3:50; ACCh.3:13.

⁶³² CHA. s.1, §447, §641, §654, ACO 2.1.1:135,158,161; ACCh.1:213,241,245. CHA. s.CD, §4, ACO 2.1.3:100; ACCh.2:166. CHA. s.11, §14, ACO 2.1.3:405; ACCh.3:8.

⁶³³ CHA. s.1, §640 (twice), ACO 2.1.1:158; ACCh.1:241.

⁶³⁴ CHA. s.1, §644, ACO 2.1.1:160; ACCh.1:243.

⁶³⁵ CHA. s.1, §855, ACO 2.1.1:180; ACCh.1:270.

⁶³⁶ CHA. s.5, §12, ACO 2.1.2:124; ACCh.2:198.

have him testify (CHA. s.10, §20).⁶³⁷ Finally, in the eleventh session of the same council, it is the presbyter Cassianus accompanying the deposed bishop Bassianus, who describes an extra-conciliar incident c.447 and claims that Stephen of Ephesus and Maeonius of Nysa “gave [him] the gospel-book and made [him] swear” and again that “they took the gospel-book and gave it to [him], and [he] swore an oath to them” (CHA. s.11, §39).⁶³⁸

This evidence attests to my argument for the consistency of the way the clerics refer to the Gospel-book and that this uniform consistency reveals, as with the case of “holy”, that all the clerics viewed the Gospel-book the same way, regardless of the council they participated, for we see that the omission of adjectives happens both in the Synod of Constantinople (13 April 449) and in the council of Chalcedon (451).

The ranks of the clerics that do not use any adjectives when referring to the Gospel-book also vary: from high ranking bishops as individuals, like Thalassius of Caesarea (C449b, CHA. s.1, §640 and Basil of Seleucia (CHA. s.1, §855), or bishops as a whole (CHA. s.5, §12) to mere presbyters like John (C449b, CHA. s.1, §644) and Cassianus (CHA. s.11, §39), or even deacons like Theophilus (CHA. s.10, §20). The above passages signify two things in regard to the authority of the book: all clerics, regardless of rank, feel free to omit the use of an adjective to describe the Gospel-book and as such view the Gospel-book in the same way, on one hand, while on the other, they all feel the need to highlight the presence of the Gospel-book and invoke its authority to achieve their means.⁶³⁹

The established, uncontested supreme authority of the Gospel-book

Thus far I have established that all clerics view the Gospel-book the same way and attribute to it the same authority, either by the consistent use of the adjective “holy” or by its occasional omission. And as I argued above, “holy” defines positively the Gospel-book attesting to its authority. So, if the presence of an

⁶³⁷ CHA. s.10, §20, *ACO* 2.1.3:18; *ACCh*.2:275.

⁶³⁸ CHA. s.11, §39 (twice), *ACO* 2.1.3:50; *ACCh*.3:13.

⁶³⁹ For the employment of the Gospel-book in the Acts of Chalcedon: Ch.7.

adjective adds to the authority of the book, does its absence subtract anything from it? Does the Gospel-book have less authority because of the omission of any positive definitions? The answer is negative, and as I argue below, it is not only the presence of adjectives that attests to the book's authority, but also their absence, since it signifies the acceptance of the Gospel-book's established authority.

The presence of a positive adjective contributes to the definition of the noun in two possible ways: it either reveals an aspect of an already established quality and authority; or it adds something to this authority, in case the adjective is used for the first time to define this noun. The use of "holy", in particular, belongs to the first case, as it is an adjective that has traditionally been used to define the authority of the Gospel-book long before the fifth-century councils. Thus when it is used in conciliar context, it merely reveals an aspect of an already established authority that it bears from its extra-conciliar use. However, the common basis for these two ways is that they both refer to an already established status or authority.

The absence of an adjective also deals with the same established status and authority and rather than subtracting from it or defying it, it presupposes it. It is the same case as in mathematics, where a positive number increases the value of a reference value (e.g., benchmark, cumulative sum, etc.), while the absence of a positive number does not subtract from it. For a subtraction to occur, we need the existence of a negative number, which in our case would be the presence of an adjective with negative meaning to describe the Gospel-book. Such an adjective could be "unholy", for example, as in the case of "Chrysaphius of unholy/unhallowed (ἀνοσίατος) memory" (CHA. s.3, §57) mentioned in the plaint of presbyter Athanasius of Alexandria brought to the holy council against his bishop, Dioscorus;⁶⁴⁰ or the "unholy/unhallowed (ἀνοσιουργηθέντων) actions" (CHA. s.14, §11) in the synodical letter to Domnus.⁶⁴¹

To my argument on the established supreme authority of the Gospel-book attests also the absence of any discussions regarding this authority, no matter how extensive the Acts of Chalcedon are and how many different factions are assembled around the book. No-one argues against the authority of the Gospel-

⁶⁴⁰ CHA. s.3, §57, ACO 2.1.2:20; ACCh.2:58.

⁶⁴¹ CHA. s.14, §11, ACO 2.1.3:68; ACCh.3:42.

book and no-one questions it. As such, the authority of the Gospel-book remains supreme and uncontested.

To conclude, it has been demonstrated that the clerics in the three main councils of the Acts of Chalcedon view the Gospel-book as Jesus Christ and consider its authority “holy” and supreme, regardless of the presence or absence of the adjective before it. Having said that, it is time to turn to the secular officials, a group that is not as numerous as the clerics, but that is also important as they appear to occasionally control the procedure in some sessions. As such it is interesting to examine what authority they attribute to the Gospel-book, especially given that their own authority and background, as secular, are significantly different than that of the clerics.

ii. The Secular Officials

The secular officials were prestigious and experienced officers of the State, who were authorised by the Emperor to represent him in many councils of that time, and either preside over the council and act as judges in an attempt to serve the imperial agenda, or simply attend it and observe the procedure so as to ensure that everything was done properly and according to the commands of each emperor.

Their role in the councils was important, hence their words and actions in relation to the Gospel-book are also of significant value. In Ephesus I (431) it was Count Candidian, the head of the imperial palace guard, who was appointed by the Emperor Theodosius II to represent him, supervise the proceedings and keep good order in the city of Ephesus.⁶⁴² Failing to do that, due to the determination of the Cyrillians to put forward their own agenda, more secular officials were sent to help, like the Counts Irenaeus and John without though being able to affect the outcome of the council considerably. In the Home Synod of Constantinople (448), it is the patrician Florentius, who is sent by the Emperor Theodosius II again, to attend the seventh session in which the trial of Eutyches took place.⁶⁴³ The same patrician co-chaired with Flavius Martialis, the Master of Divine Offices, the

⁶⁴² *ACCh*.1:22.

⁶⁴³ C448 s.7, CHA. s.1, §468-475, ACO 2.1.1:138-139; *ACCh*.1:216-217.

hearings of the Synod of Constantinople (449) that were summoned to examine Eutyches' accusations against the notaries of the archbishop Flavian for falsification of the minutes of the Home Synod (448). The same year, Count Helpidius is sent by Theodosius II again in Ephesus II (449), this time to merely deliver to the bishops the emperor's instructions regarding the council.⁶⁴⁴

All this activity and participation of the secular officials in the fifth-century Church councils is peaked in Chalcedon (451) in which a significant amount of them is present and presides over some sessions. Their numbers vary from thirty-eight, who accompany the imperial couple in the sixth session, to nineteen who presided over the first session in which the debate over Ephesus II took place and the proceedings of the earlier councils were read, or even less, like in the sessions in which only Anatolius, Palladius and Vincomalus are present.⁶⁴⁵ There is only one session in Chalcedon in which no secular official was present, and that is the third in which the trial of Dioscorus took place and concluded with his condemnation and degradation.⁶⁴⁶ Their offices also varied, but they were all high-ranking members of the imperial government or the Constantinopolitan senate, and they all had served as officials and consuls.⁶⁴⁷ In Chalcedon, they did not simply preside over the council, but they even imposed their decisions on the clerics at times, as evident throughout the Acts. Hence, the importance of their role becomes apparent, which in turn attests to the need to analyse their words and actions in relation to the Gospel-book, in order to extract their view on its authority and how this authority can be considered supreme.

THE UNIFORM, TWOFOLD (RELIGIOUS-SECULAR) TWO-DIMENSIONAL (HEAVENLY-EARTHLY) AUTHORITY OF THE GOSPEL-BOOK IN THE EYES OF THE SECULAR OFFICIALS

Regarding the words of the secular officials, unlike the clerics, they never use the adjective "holy" to describe the Gospel-book. They rather prefer twofold adjectives with both religious and secular connotations, like "divine", "sacred", "undefiled" and "venerable", so as to promote a two-dimensional authority to the Gospel-

⁶⁴⁴ E449, CHA. s.1, §110, ACO 2.1.1:85; ACCh.1:150.

⁶⁴⁵ ACCh.1:41-42¹⁵⁴.

⁶⁴⁶ ACCh.2:29.

⁶⁴⁷ ACCh.1:41.

book, which even though it remains supreme, it now touches their own sphere and as such they are more able to control it and serve the imperial agenda, as will be argued later.

Yet this realisation of the book's usefulness as a most-powerful tool to serve their means must have been gradual, given that it was a religious object that only in the recent years after Ephesus started to be employed in the church councils (very few of which the secular officials attended), while it had not yet been officially introduced in the Roman courts and the secular sphere in general.⁶⁴⁸ As such we find no references from secular officials to the Gospel-book in the Home Synod of 448, while in the Synod of Constantinople of 449, the notary Macedonius produces the Gospel-book to the bishops to have them swear, as per Theodosius II's request, but the emphasis of his statement falls on the oath and not on the book which is not mentioned.⁶⁴⁹

But in Chalcedon, two years after the Synod of Constantinople and under a new Emperor, things change. We find the secular officials clearly referring to the Gospel-book on two occasions, both in order to urge the bishops to reach a decision: once on a matter of faith and once on a judicial/administrative issue. More specifically, in the fourth session, the secular officials pronounce that since they see "the divine gospels displayed" by the clerics, each bishop should state whether the definition of Nicaea and Constantinople is in harmony with the Tome of Leo (CHA. s.4, §8).⁶⁵⁰ Later, in the twelfth session, that examines the case between the rivals to the see of Ephesus, Bassianus and Stephen, the secular officials request that the "sacred and undefiled book of the gospels be brought to the centre" (CHA. s.12, §7). As soon as this happens, they ask the bishops to pronounce a fair decision "with the venerable gospels before [the assembly]" (CHA. s.12, §8).⁶⁵¹

⁶⁴⁸ Ch.1.

⁶⁴⁹ C449b, CHA. s.1, §569, ACO 2.1.1:152; ACCh.1:233.

⁶⁵⁰ CHA. s.4, §8, ACO 2.1.2:93-94 ;ACCh.2:127.

⁶⁵¹ CHA. s.12, §7-8, ACO 2.1.3:53-54; ACCh.3:20.

UNVEILING THE TWOFOLD AND TWO-DIMENSIONAL SUPREME AUTHORITY OF THE GOSPEL-BOOK

The above make evident the plurality of adjectives the secular officials use in Chalcedon to refer to the Gospel-book, so below I will analyse the content of this twofold and two-dimensional authority, and why this authority is still supreme. Before doing so, however, three things need to be clarified as limitations to my findings here:

- a) Regardless of the vast size of the Acts of Chalcedon, the evidence of the secular officials referring to the Gospel-book are scarce, and as such there is possibility of errors; however, their consistency in the absence of "holy" against its usage by the clerics is remarkable.
- b) As remarkable is the use of adjectives that bear secular and religious authority ("divine", "sacred", "undefiled" and "venerable"). My sentiment is that they do this to show the twofold (religious-secular) and two-dimensional (heavenly-earthly) authority of the Gospel-book. However, it is not improbable, even though not very likely given the identity of the Gospel-book and the context of these councils, that they use these adjectives having only their secular dimension in mind and as such, linking the Gospel-book to the authority of the Emperor stripped of any religious connotations.⁶⁵²
- c) In the Acts of Chalcedon, and also in our specific passages here, the secular officials very often appear to be speaking in unison, recorded through expressions like "the most glorious officials" or "the most glorious officials and the exalted senate". In reality, it is probably the head of the imperial commissioners, the patrician and former consul Anatolius, who speaks on their behalf.⁶⁵³ As such, we cannot be absolutely positive whether our passages above represent Anatolius' views on the Gospel-book or those of the entire secular committee. The latter may not seem probable if we consider the number of the secular officials (eighteen in the fourth session and only three in the twelfth),⁶⁵⁴ and their different backgrounds and grades of familiarity with Christianity and the identity of the Gospel-book.

⁶⁵² For my analysis on the authority of the Emperor and the distinction between religious and secular: Ch.6.2.iii.

⁶⁵³ *ACCh*.1:41. Delmaire, 1984:141–75; Martindale, *PLRE*.2:"Anatolius 10".

⁶⁵⁴ *ACO* 2.1.2:84; 2.1.3:53; *ACCh*.2:121; 3:19.

Yet the fact that the Acts present them speaking as a group and that their statements were preserved and published by the Editors of the Acts, while none of them contests Anatolius' statements, allow us to consider Anatolius' views as representative, or at least indicative, of the view of the secular officials on the Gospel-book.

Having said that, I will show below why I argue that the Gospel-book had a "twofold" and "two-dimensional" authority in the eyes of the secular officials, but also why this authority is supreme in the context of these councils.

The first adjective employed by the secular officials to describe the Gospel-book is "divine" (θεῖος). It is a fairly common adjective in the Acts of Chalcedon (appr. 460 instances) that we briefly saw earlier⁶⁵⁵ and has a twofold nature. On a metaphysical level, it refers to God Himself and his nature, while on a secular level it refers to people and objects that either receive their authority from God, or exist in relation to Him.⁶⁵⁶ In the documents (proceedings and letters) included in the Acts of Chalcedon, for example, we find "divine" used in reference to Jesus Christ, his nature and God's providence. We also find it used to describe things related to God and the Church, like the divine canons, the divine fathers and the Scripture; the latter in cases when someone refers to the spiritual authority of the content of the Gospel-book, and not the Gospel-book itself as an object.⁶⁵⁷ At the same time though, the same adjective is used as a title of the Emperor to indicate his God-given authority, as I argued earlier.⁶⁵⁸ From this perspective, things related to the Emperor are also called "divine", like his will, his palace, the divine office, the divine consistory, or a divine letter, mandate, rescript and a sanction. Hence becomes obvious the twofold (secular-religious) and two-dimensional (earthly-heavenly) nature of the adjective "divine" as referring to both the secular and the truly divine world.

"Undefiled / immaculate" (ἄχραντος) is another adjective of similar use, although much rarer than "divine". In the whole body of the Acts of Chalcedon, it is only encountered 9 times, 3 of which refer to the Gospel-book (CHA. s.12, §7 that we

⁶⁵⁵ Ch.5.2.i.

⁶⁵⁶ "Θεῖος", "θεϊότης", *GLRB*, 1900:572; *PGL*, 1961:618-620; *GEL*, 1968:788.

⁶⁵⁷ For the distinction between Gospel-book and Scripture: Ch.6.2.viii.

⁶⁵⁸ Ch.5.2.i. Cf. Hopkins, 2007:197-242; Ware, 1993:41-47.

have seen above, and CHA. s.1, §4; CHA. s.4, §2).⁶⁵⁹ It signifies the person or thing that has no flaw or error, no stain or blemish, and in other words someone or something that is perfectly pure and clean.⁶⁶⁰ Despite its rarity, the instances that are found in the Acts attest to my argument on its twofold nature: on one hand it is used to refer to God, in the name of Trinity (CHA. s.4, §105)⁶⁶¹ and Jesus Christ (CHA. s.1, §917.16)⁶⁶² and things related to God, like the holy mysteries (CHA. s.1, §887; CHA. s.11, §7 twice);⁶⁶³ while on the other it describes the "divine and undefiled feet" of the emperors Marcian and Valentinian (CHA. s.11, §7).⁶⁶⁴ As such, it becomes apparent that, as with the case of "divine", it is an adjective that is used to refer to both the divine and the secular world.

Similar is the case of the third adjective: "venerable" (σεβάσμιος). It is a relatively common adjective (appr. 51 instances) in the Acts of Chalcedon and describes the person or group of people who should be highly respected.⁶⁶⁵ As happens with the aforementioned adjectives, "venerable" has a twofold and two-dimensional character by referring to persons and things that belong to the religious-divine or the secular-earthly sphere. As such, it can be found in our sources to accompany the holy mysteries and the memory of people who have passed away (e.g. Cyril, Flavian et al.), the fathers of the Church, the Church itself and its councils, clerics of all ranks (bishops, archbishops, priests) and religion. But it is also used to refer to the Emperor, usually in the form "ever-venerable", and his sovereignty.

Last but not least (especially taking into consideration its appr. 394 instances), comes "sacred" (σεπτός) that we have briefly analysed earlier.⁶⁶⁶ It signifies those of high value and importance that deserve great respect.⁶⁶⁷ It is found in relation to the religious sphere, like in the case of the holy mysteries, the fathers, the memory of well-respected figures who passed away, archbishops and bishops, councils and canons. Sometimes it escorts nouns that belong to the religious and

⁶⁵⁹ CHA. s.12, §7, ACO 2.1.3:53-54; ACCh.3:20. CHA. s.1, §4, ACO 2.1.1:65; ACCh.1:129. CHA. s.4, §2, ACO 2.1.2:92; ACCh.2:125.

⁶⁶⁰ "Ἀχραντος", PGL, 1961:280; GLRB, 1900:291; GEL, 1968:297.

⁶⁶¹ CHA. s.4, §105, ACO 2.1.2:119; ACCh.2:161.

⁶⁶² "Incontaminabilis", CHA. s.1, §917 (16), ACO 2.3.1:209; ACCh.1:309.

CHA. s.1, §887, ACO 2.1.2:187; ACCh.1:294. CHA. s.11, §7, ACO 2.1.3:45; ACCh.3:6.

⁶⁶⁴ CHA. s.11, §7, ACO 2.1.3:45; ACCh.3:6.

⁶⁶⁵ "Σεβάσμιος", PGL, 1961:1227; GLRB, 1900:981; GEL, 1968:1587.

⁶⁶⁶ Ch.5.2.i.

⁶⁶⁷ "Σεπτός", PGL, 1961:1229-1230; GLRB, 1900:984; GEL, 1968:1591.

the secular sphere, as in the case of secular and ecclesiastical decrees, but it is also very often found to accompany nouns clearly secular, as in the case of the Emperors, the senate, the praetorians, the consistory, or imperial letters, laws and edicts.

This evidence is enough to attest to my argument on the twofold nature of the nouns they accompany, and more specifically of the object of our interest, that is the Gospel-book. So what happens in Chalcedon is that the secular officials take the formerly onefold "holy" Gospel-book from the truly divine, metaphysical and unreachable by them sphere, and bring it to the secular sphere by using secular adjectives to define its authority, giving to it thus a twofold aspect. But they do not negate its metaphysical authority, as evidenced by the absence of any negative adjectives (e.g. "unholy"); they rather redefine this authority by adding secular characteristics to it. Thus what comes out as a result is a Gospel-book that now combines the attributes of two worlds: the human and the divine, the secular and the metaphysical.

This could be part of an intentional strategy employed to serve the needs of the imperial agenda. They are infusing elements of the imperial, secular authority to a purely religious object to which all clerics subject themselves, partly to control the clerics and partly to associate more closely the imperial authority to the divine through the Gospel-book and show the Emperor's contribution to the outcome of these councils.

The latter aims to show that the new Emperor acts according to the expectations of the clerics and his subjects; he is chosen by God to use his secular authority, executed through his legal and political means, to protect the true faith (orthodoxy) and spread it throughout the empire. In this sense, the Emperor draws from the authority of the Gospel-book by presenting himself as a worthy agent of God giving thus greater validity to his own, secular authority, which after all was the main purpose of the council secularly and religiously (i.e. unity of the empire through the establishment of the one true faith).⁶⁶⁸ The Emperor's contribution would be further manifested, if the Gospel-book enthroned in Chalcedon had been produced under imperial sponsorship and the adjectives above were preserved in the published Acts to imply that.⁶⁶⁹ This could also be the

⁶⁶⁸ For the role of the Emperors as protectors of the one true and orthodox faith: Ch.6.2.iii.

⁶⁶⁹ For the production of the first imperially sponsored codices: Ch.1.2.ii.

reason why the Editors of the Acts use a combination of religious and secular adjectives in their references to the Gospel-book as shown later.⁶⁷⁰

Regarding the former, that is the Emperor's control over the bishops, modern scholarship has already established how unruly the bishops could become, how strong were the tensions between the rival religious parties, and how much effort had the imperial powers to put in to control the outcome of these councils in a way that would serve the Emperor's political aims.⁶⁷¹

And in Chalcedon, the secular officials were there precisely for this reason: to serve the emperor's interests and forward the imperial agenda in any way possible. However, with the councils being not purely judicial, but also ecclesiastical, and with so many clerics in them, it was easy for the whole situation to get out of hand. The most authoritative object in the eyes of the clerics was the Gospel-book, as has already been established. The secular officials knew this, after seeing the book enthroned in the midst of the church councils in Constantinople (e.g. Home Synod and Synod of Constantinople). They had witnessed how the bishops were employing the book to impose the fear of the Last Judgement on everyone in the room (witnesses and judges alike) as if they were all testifying and judging before the Son of God. With the clerics being very willing to risk the outcome of the councils and endanger the cohesion of the empire through their pursuit for the truth (even more through their efforts to enforce their own truth on their opponents), the secular forces had to find an object to whose supreme authority the bishops would be subjected. To paraphrase Tolkien's famous words in his fantasy novel *The Lord of the Rings*: "One [book] to rule them all, one [book] to find them. One [book] to bring them all and in the [truth/imperial policy] bind them."

This object is the Gospel-book and by controlling it, the Emperor would be able to control the clerics and ensure the stability of the empire in general and his rule in particular. Theodosius II, having witnessed the authority of the Gospel-book in Cyril's argumentation, realised over time the usefulness of the book and forced the bishops in the Synod of Constantinople to swear an oath on it (rather on any other object). Marcian's commissioners in Chalcedon realised that too and employed the Gospel-book twice on the bishops to make them pronounce a

⁶⁷⁰ Ch.5.2.iii.

⁶⁷¹ Price, 2011b:92-106; 2011a:70-91; Whitby, 2011:178-196; Graumann, 2011:27-44.

decision (CHA. s.4, §8; s.12, §7-8).⁶⁷² With the Emperors being unable to use violence and other harsher, secular means in the council to impose their will on the clerics for the fear of a widespread religious revolt, the Gospel-book was the best and most authoritative tool to serve the imperial agenda.⁶⁷³

After all, in the setting of these councils the tension was not only between the clerics themselves, but also between the clerics and the secular authorities, especially if the former felt that the latter acted against the interests of the true faith. We can easily recall the Cyrillians' defiance of the imperial orders in Ephesus I or how they subtly reminded Theodosius II that his authority and view does not matter, as they had in their side "the master of the universe" in the form of the Gospel-book.⁶⁷⁴ The experience of the clerics in Chalcedon with Emperors mingling in the Church affairs at the expense of the true faith was bitter and covered almost an entire generation: in Ephesus I, their father Cyril had to confront Theodosius II for the sake of orthodoxy and not stop until the emperor bended before Cyril's authority; until they saw the same Emperor go against Flavian's Home Synod and support a council that not only killed their archbishop, but also resulted in a disgrace for the Church that they now had to annul (i.e. Ephesus II).⁶⁷⁵ So in Chalcedon the clerics were hoping for a more orthodox approach by Marcian that would safeguard the true faith. Failing to do so and adopting an openly forceful and violent stance against the clerics for the sake of an imposed unity, it is possible that the clerics would attempt to imitate the glorious past of Cyril, "the champion of orthodoxy";⁶⁷⁶ or even more Christ who boldly defied the earthly authorities by reminding them that they are "below" him and that they have "no power over [him]" (John 8:23; 19:10-11).

So the most effective and non-violent way for the Emperor to control the clerics was by usurping and employing their most authoritative object: the Gospel-book. But with the book remaining in the "holy" metaphysical sphere (i.e. the sphere of the clerics), this was impossible given that the Emperor did not have any authority over this realm. Unless he infused the Gospel-book with secular characteristics that would give to the book a secular authority that the Emperor could control

⁶⁷² CHA. s.4, §8, ACO 2.1.2:93-94; ACCh.2:127.

⁶⁷³ Ch.3.2.ii.

⁶⁷⁴ Ch.2.3.

⁶⁷⁵ Ch.6.2.iii.

⁶⁷⁶ CHA. s.3, §51, ACO 2.1.2:19; ACCh.2:56.

through adjectives like "divine", "undefiled/immaculate", "venerable" and "sacred". The result was the clerics seeing the Gospel-book being used over them, not by a fellow cleric, but by the secular forces, like in the Synod of Constantinople and two sessions of the council of Chalcedon.

As for the question of how the Gospel-book's authority can be considered supreme when the book is used and referred to by the secular officials bearing religio-secular, or solely secular, characteristics, the answer is simple: the Gospel-book would still possess and exercise supreme authority, even if it was stripped of its religious connotations, because it would be now invested with the supreme secular authority of the Emperor, that is the most authoritative figure on the earthly realm. So in the Acts of Chalcedon, the Gospel-book acquires a twofold and two-dimensional authority through the references and employment of it by the secular officials, a dual authority that is maintained and further projected by the publication of the Acts operating as "*instruments of propaganda*", in the words of Graumann.⁶⁷⁷

iii. The Minute-Keepers and Editors of the Acts

The Minute-keepers were responsible for the transcription of the actions and statements in the councils as accurately as possible, while the compilers and editors of the Acts later had to choose which recordings to include and which to omit from the published text so as to serve better the imperial and ecclesiastical agenda.⁶⁷⁸ As such the first and the third session of Chalcedon that dealt with Ephesus II and Dioscorus' trial were recorded fully, so as to prove that the proper conciliar-judicial procedure was followed, while in other sessions that dealt with matters of faith (e.g. fifth session) the recording was suppressed, so as to give a sense of ecclesiastical unanimity that was necessary for doctrinal decisions.⁶⁷⁹

They were usually lower-ranking clerics (lectors, deacons and presbyters) with the occasional assistance of secular scribes (often senior civil servants).⁶⁸⁰ Such was the case in the council of Carthage (411) where the notaries were clerics

⁶⁷⁷ Graumann, 2011:43.

⁶⁷⁸ ACCh.1:75-85; Price, 2011b:92-106; 2011a:70-91; Graumann, 2011:27-44.

⁶⁷⁹ ACCh.1:77-78; Chrysos, 1990:88.

⁶⁸⁰ ACCh.3:208-210; Teitler, 1985.

supervised by imperial scribes.⁶⁸¹ On the contrary, in Home Synod of Constantinople (448) and Ephesus II (449) the minute-keepers were solely clerics. Clerics were also those in Ephesus I (431) and the Synod of Constantinople (449), but the names of secular notaries also appear in the Acts, so it is not clear whether they were also engaged with the minute-keeping and the later production of the Acts. The Acts of Chalcedon do not state explicitly the identity of their minute-keepers and editors, but taking into consideration the importance of the council for the Emperor and the presence of his secular committee, it is likely that secular and clerical scribes participated in the process.⁶⁸²

Yet the language they employ in the Acts when referring to the Gospel-book is consistent and almost identical to that of the clerics, while different than that of the secular officials, a fact that points to the editors of the Acts being also clerics. Undoubtedly, further research is needed on the linguistic patterns of their additions to the Acts, so my analysis below serves simply as an indicator of their identity, but mainly as an attestation for the book's supreme authority in the eyes of the minute-keepers and editors of the Acts. The reason why their perception of the authority of the Gospel-book is important, even though they are not actively engaged in the conciliar-judicial procedure, is because they are partly responsible for the way the later generations viewed the council, as it is through their written record that we are informed about the events in councils and the Gospel-book's position and authority in them. In them is also imprinted the imperial policy, and to a certain extent, it is through the Acts that the councils and the participants in them gained or lost their authority. This is evident by the way the minutes of the previous councils were used by the next. They were read out in the course of the council and used as evidence to condemn or acquit those accused, and thus establish or remove their authority. So, the way the Editors of the Acts viewed and presented the participants of the councils and the Gospel-book shaped significantly the memory of the generations that followed.

⁶⁸¹ *ACCh*.1:75²⁴⁴; Teitler, 1985: ch.2; Tengstrom, 1962.

⁶⁸² *ACCh*.1:77-78.

THE UNIFORM, ONEFOLD (GODLY) AND TWO-DIMENSIONAL (HEAVENLY-EARTHLY) AUTHORITY OF THE GOSPEL-BOOK IN THE EYES OF THE MINUTE-KEEPERS AND EDITORS OF THE ACTS

As explained, the identity of the minute-keepers of Chalcedon and the editors of its Acts is unknown to us today. We do not even know whether the notaries that kept the minutes in the course of the council were the same ones who edited and Acts and published them afterwards. The absence of any statements made individually by them compels us to treat them as a group and presume that they viewed the authority of the Gospel-book in the same way, especially if they were clerics.

The adjectives they use to describe the Gospel-book reveal a relative variety, yet they all belong to the heavenly sphere to manifest Christ's presence in the midst of the assembly as the supreme judge of the Second Coming, who awards justice in the council. These adjectives are "holy", "most holy", "dread" and "undefiled/immaculate" and they are occasionally used together to give an emphasis on the Gospel-book's authority.

In the introductory paragraph of the seventh session of the Home Synod of Constantinople (448), in which the trial and condemnation of Eutyches took place, the notaries inform us that the synod met "in the presence of the holy and dread gospels" (C448 s.7 as in CHA. s.1, §458, §720).⁶⁸³ A combination of adjectives is used also in the introduction of the first session of Chalcedon, in which the debate over Ephesus II and Dioscorus trial took place. Here, the notaries again inform us that in the centre of the room "was placed the most holy and immaculate gospel-book" (CHA. s.1, §4).⁶⁸⁴ And it is again in another introduction, that of the fourth session during which the bishops confirmed that the definition of Nicaea and Constantinople is in harmony with Leo's Tome, that the notaries highlight the presence of the Gospel-book in the room by informing us that everyone was seated in front of the holy sanctuary "with the holy and undefiled gospel-book in the centre" (CHA. s.4, §2).⁶⁸⁵ These references to the Gospel-book are strategically placed by the editors of the Acts in the introductions of the most

⁶⁸³ CHA. s.1, §458, §720, ACO 2.1.1:137,166; ACCh.1:215,252.

⁶⁸⁴ CHA. s.1, §4, ACO 2.1.1:65; ACCh.1:129.

⁶⁸⁵ CHA. s.4, §2, ACO 2.1.2:92; ACCh.2:125.

important sessions of each council and reveal the supreme authority of the Gospel-book. The intention, both for the central placement of the Gospel-book in the beginning of the conciliar procedure and also its later highlighting of this action in the Acts is to create a feeling to the participants in the council and the readers afterwards that Jesus Christ, the supreme judge of the Second Coming, was there judging the participants and affecting their lives on earth and in heaven.⁶⁸⁶

Apart from the previous introductory passages in which two adjectives are combined to give even more emphasis on the presence and the authority of the Gospel-book, there are two more cases in which the notaries refer to the book, this time in the course of the procedure to indicate the introduction of the book into the room, almost in the beginning of the session.⁶⁸⁷ The first is in the session of 13 April of the Synod of Constantinople (449) in an incident that we examined earlier where the notary Macedonius produces "the holy gospel-book" to the bishops and asks them to swear an oath on it before declaring on the authenticity of the minutes of Eutyches' trial (C449b, CHA. s.1, §569).⁶⁸⁸ The other incident is that of the twelfth session of Chalcedon, where the notaries inform us that the "the holy gospel-book had been brought" after a request by the secular officials, so that the bishops pronounce their decision on the case between Bassianus and Stephen of Ephesus (CHA. s.12, §8).⁶⁸⁹

As such it becomes evident that the notaries in the Acts of Chalcedon use "holy", "most holy", "dread" and "undefiled/immaculate" to refer to the authority of the Gospel-book, adjectives that are closely associated with Jesus Christ.

UNVEILING THE GODLY SUPREME AUTHORITY OF THE GOSPEL-BOOK AS JESUS CHRIST

The notaries, like the clerics, use always "holy" when referring to the Gospel-book, sometimes alone, and other times jointly with another religious adjective, like

⁶⁸⁶ Ch.5.2.i, Ch.6.1 and Ch.7.1.

⁶⁸⁷ On the question of the presence of the Gospel-book in the room: Ch.4.

⁶⁸⁸ CHA. s.1, §569, ACO 2.1.1:152; ACCh.1:233.

⁶⁸⁹ CHA. s.12, §8, ACO 2.1.3:54; ACCh.3:20. In this passage, the Price accidentally omits to adjective "holy" before the Gospel-book. I add it here, as it exists in Schwartz's Greek original.

"dread" or "undefiled/immaculate". Below I will try to unveil the meaning of these adjectives and why I claim that they are viewing the Gospel-book the same way Cyril did, that is as the Son of God and supreme judge in these councils.

The equivalent "holy" and "most holy" supreme authority of the Gospel-book in the eyes of the notaries

"Holy" (ἅγιος/sanctum), as we saw earlier, is an adjective with a clearly religious meaning that is in close relation to God's sanctifying power.⁶⁹⁰

Similarly, "most holy" (ἁγιώτατος) is also used to describe persons and things related to God and possessing supreme authority. In the Acts it is found to describe the fathers of the Church and Cyril, the councils, archbishops and bishops,⁶⁹¹ buildings like monasteries, sanctuaries, martyria and churches, as well as the Church as a body of believers.

Yet, even though "holy" and "most holy" are used in the Acts of Chalcedon to refer to the same people and things, there is a peculiarity that needs to be clarified here for the sake of accuracy. Unlike the former, strangely the latter is never used to describe God. But this is probably a coincidence, as indicated by the fact that God is described as "most holy" in other documents read in the council.⁶⁹² This could possibly be attributed to a weakening of "most holy" by the time of Chalcedon, since according to Price and Gaddis, its use as a honorific in the title of archbishops no longer expressed an admiration, rather a convention. By implication, according to the same scholars, "most holy" ends up having a weaker meaning than "holy"

⁶⁹⁰ Ch.5.2.i.

⁶⁹¹ "Most holy" (ἁγιώτατος) is never used in the Greek Acts to describe a lower rank cleric but once, when the militant monk Barsaumas acquits his fellow archimandrite Eutyches in Ephesus II. The Latin Acts use "sanctissimus" three more times on the same occasion by bishops Cyriacus, Zeno and Leontius. All four probably aiming to highlight Eutyches' orthodoxy and his unjust condemnation by the Home Synod. The last three occasions survive only abbreviated in the Greek original. CHA. s.1, §884.10, §884.107, §884.113, §1037, ACO 2.1.1:183,185-186,194; ACO 2.3.1:174,190-192,247; ACCh.1:274³²⁷,291,353,345⁵⁰³.

⁶⁹² Optatus, Appendix III, CSEL 26:204-206, transl. Coleman-Norton, RSCC 1:54-56. ACCh.1:138⁷⁴.

itself, as shown by the employment of "most holy" for archbishops and "holy" for councils, even though the latter were holier than the former.⁶⁹³

Aside from this though, as explained above, there is a plethora of evidence in the Acts of Chalcedon that attests to the interchangeable use of "holy" and "most holy" for people and objects related to God. As such the weakening of "most holy" as a title, does not necessarily imply a weakening in the meaning of the adjective itself, and statements like the "most holy gospel-book" of Chalcedon's first session (CHA. s.1, §4)⁶⁹⁴ and the "holy gospel-book" of the fourth and the twelfth session of Chalcedon (CHA. s.4, §2 and s.12, §8)⁶⁹⁵, or the seventh session in Home Synod (C448 s.7, CHA. s.1, §458, §720)⁶⁹⁶ and the session of 13th April in the Synod of Constantinople (C449b, CHA. s.1, §569)⁶⁹⁷ can be treated as equivalent. Or they could also express a special emphasis on the holiness of the book when the adverb "most" is used, as the book possessing the supreme holifying authority.

Such a supreme quality and function could be attributed only to God himself, which is precisely what the Gospel-book represented in these councils taking into consideration their general context and the Cyrillian tradition. To this conclusion we are further led when examining the other two adjectives employed by the notaries to refer to the authority of the book, only that in this case we are more able to pinpoint the book as Son of God and supreme judge of the Second Coming standing in the midst of the council and delivering justice.

The supreme authority of the Gospel-book as a manifestation of Jesus Christ in the midst of the councils

Aside from "holy" and "most holy", two more adjectives are used by the editors of the Acts to describe the Gospel-book: "dread" and "undefiled/immaculate".

As we have seen earlier, in the introductory paragraph of Eutyches' trial in the seventh session of the Home Synod of Constantinople, we are informed that the

⁶⁹³ *ACCh.1:xi-xii.*

⁶⁹⁴ CHA. s.1, §4, *ACO 2.1.1:65; ACCh.1:129.*

⁶⁹⁵ CHA. s.4, §2; s.12, §8, *ACO 2.1.2:92; 2.1.3:54; ACCh.2:125; 3:20.*

⁶⁹⁶ CHA. s.1, §458, §720, *ACO 2.1.1:137,166; ACCh.1:215,252.*

⁶⁹⁷ CHA. s.1, §569, *ACO 2.1.1:152; ACCh.1:233.*

synod met "in the presence of the holy and dread gospels" (C448 s.7, CHA. s.1 §458, §720).⁶⁹⁸ This is the only instance in the whole of the Acts of Chalcedon that the adjective "dread" (φοικτός)⁶⁹⁹ is used to describe the Gospel-book. It is an adjective extremely rare and strongly charged with the meaning of an object, a person or an action that inspires fear and awe to the observer and makes him/her shudder.⁷⁰⁰ The very few times it appears in our sources, it is always in relation to God, and more specifically to Jesus Christ and his mysteries, or to oath taken in the name of God.

More specifically, in Chalcedon the Alexandrian presbyter Athanasius addresses a plaint against Dioscorus, in which he claims that Cyril, before dying, adjured Dioscorus in writing "by the venerable and dread mysteries" to protect Cyril's family, and then accuses Dioscorus of "ignoring those dread oaths" (CHA. s.3, §57).⁷⁰¹ And again in the third session of Chalcedon, bishop Francion of Philippopolis expresses his agreement with the sentence passed by the council against Dioscorus by depriving him "both of priestly dignity and of communion in the dread mysteries" (CHA. s.3, §96.29).⁷⁰² Furthermore, in Ephesus II, Dioscorus of Alexandria announces that he will make a "fearful and [dread]" statement by saying that someone who sins against another human can seek forgiveness from Jesus Christ,

⁶⁹⁸ CHA. s.1, §458, §720, ACO 2.1.1:137,166; ACCh.1:215,252.

⁶⁹⁹ It is important to note here that Price and Gaddis are not consistent in their translation of "φοικτός". Sometimes they translate it as "dread" and other times as "awesome". On the other hand, they are also inconsistent in which Greek or Latin terms they translate as "dread". Sometimes they do it for "φοβερός", but many times they do it for "venerable", such as in the case of the "dread oaths" sworn by the Quartodecimans that were read in Ephesus I (E431 s.6, CHA. s.1, §927, 928, 935, 936, 937, 939), while the Latin text uses "venerabili iuramento/sacramento". And unfortunately in this case, the Greek text does not help, since it completely omits these passages, which are saved only in the Latin version of the Acts. ACO 2.3.1:217-221; ACCh.1:318,319,321.

⁷⁰⁰ "Φοικτός", "φρίσσω", GLRB, 1900:1152; PGL, 1961:1490; GEL, 1968:1955.

⁷⁰¹ It is necessary to note here that the Greek text has "φοικτών μυστηρίων" and "φοικτούς ἐκείνους ὅρκους", but in this case Price and Gaddis translate "φοικτός" as "awesome". CHA. s.3, §57, ACO 2.1.2:20; ACCh.2:58.

⁷⁰² This paragraph is missing from the Greek text, so Price and Gaddis retrieve it from the Latin. As with the previous case, they use "awesome" to define the mysteries, but the Latin text has "communion terribilis mysterii" which would be more adequately translated as "terrible", or "dread". CHA. s.3, §96.29, ACO 2.3.2:51; ACCh.2:75.

but a person who sins against Jesus Christ will have no-one to pray for him (E449, CHA. s.1, §145).⁷⁰³

Finally, there is another adjective in the Acts of Chalcedon that Price and Gaddis translate as "dread", since it has a similar meaning with "φοκτός". This adjective is "φοβερός" and it exists in the indictment of Eusebius of Dorylaeum against Eutyches addressed to the archbishop Flavian and read during the first session of the Home Synod of Constantinople (448). In this document, Eusebius tries to persuade the synod to summon Eutyches to be judged for the "blasphemy" he uttered against Christ. This "blasphemy" shows that Eutyches has forgotten "the fear of God and despise the dread tribunal and just judgement and retribution of Christ the Saviour of us all, who will come to judge the world in justice and to render to each man according to his works" (C448 s.1, CHA. s.1, §225).⁷⁰⁴

These passages are substantial evidence of the use of "dread" (φοκτός) in the Acts of Chalcedon, and reveal how they are all heavily charged with the fear and awe inspired in the witnesses when standing before the judgement of Jesus Christ. So when the same adjective is used before the Gospel-book, it not only defines its authority as something dread, fearful and awesome, but it also attributes to it the character of being an object of supreme authority manifesting the Son of God and supreme judge in these councils. In doing so, the editors of the Acts not only align themselves with the language and treatment of the Gospel-book as Christ by the clerics, but they also take up the Cyrillian tradition of the book and promote it to their contemporary readers and the generations that follow.

The last adjective used by the notaries is "undefiled / immaculate" (ἄχραντος),⁷⁰⁵ which is also employed by the secular officials when referring to the Gospel-book,

⁷⁰³ Again, Price and Gaddis use "awesome" to translate "φοκτός", while "dread" would be more accurate and closer to the Greek meaning of inspiring fear and not only awe. CHA. s.1, §145, ACO 2.1.1:89; ACCh.1:155.

⁷⁰⁴ CHA. s.1, §225, ACO 2.1.1:100; ACCh.1:169.

⁷⁰⁵ The double translation of the adjective here is due to the fact that in the two passages in which the notaries Acts refer to the "ἄχραντον εὐαγγέλιον", Price and Gaddis translate it as "immaculate" the first time (CHA. s.1, §4) and as "undefiled" the second (CHA. s.4, §2). Even though these two adjectives have a similar meaning in English, and hence can be used interchangeably, I favour using "undefiled" for the sake of consistency and for the fact that it is more frequently used by the translators when they encounter "ἄχραντος". For the double translation of the adjective by Price and Gaddis: CHA. s.1, §4, s.4, §2; ACO 2.1.1:65; 2.1.2:92; ACCh.1:129; 2:125.

as I explained earlier. For them, it signifies the book's twofold and two-dimensional authority, as an object belonging to both the divine and the human world, and as having an authority that is both religious and secular. The purpose for this practice, as I claimed, is so that the secular officials bring the Gospel-book to their own secular realm and control its authority by using it on the clerics.

For the notaries, however, this is not the case. They use "ἄχραντος" with its religious connotation, as evident by the fact that in both passages they define the Gospel-book as "undefiled", they accompany it by an adjective with purely religious use, that is "holy" (CHA. s.4, §2) and "most holy" (CHA. s.1, §4). As such, the book has a clearly religious authority for them, and more specifically that of manifesting Jesus Christ. Being "undefiled" means that the book is portrayed as clear of flaws and errors, stains or blemishes. This hints not only at the Gospel-book as an object, that is the "undefiled" Word of God, but also as a content, that is the "undefiled" word of God (i.e. Scriptures).

As such, the book possesses supreme authority and is superior to any other object in the council,⁷⁰⁶ being the only object with a double role and authority: that of containing the perfect, inerrant word of God, and that of manifesting the Word of God and supreme judge of the Last Judgement awarding justice in these councils.

⁷⁰⁶ Ch.6.2.

CONCLUSION

Concluding this chapter, I have demonstrated the supreme spiritual authority of the Gospel-Book in the councils of the Acts of Chalcedon by analysing the way the participants spoke about the Gospel-book as an object. For the Clerics, this supreme authority is evident by the fact that they always define it as “holy”, and hence having a divine authority higher than that of any secular power. For them the Gospel-book is the heavenly Son of God who sits in the midst of the assembly, presides over it and awards justice on earth and decides the fate of people in this life and the next. On the other side, the Secular Officials seem to put forward a treatment of the Gospel-book as possessing a twofold (religious-secular) and two-dimensional (heavenly-earthy) authority, that remains supreme as a symbol of God and the authority of the Emperor, both being above all humans. Finally, the Minute-keepers and Editors of the Acts share with the clerics their view of the Gospel-book and add to it a few more elements. For them the book is an object manifesting the “holy”, “undefiled” and “dread” Word of God and supreme judge of the Last Judgement, an image that is aligned with the Cyrillian treatment of the book and inherited to the contemporary and later generations.

CHAPTER 6. THE SUPREME AUTHORITY OF THE GOSPEL-BOOK AS EVIDENT BY ITS ENTHRONEMENT IN THE CENTRE OF THE ROOM

INTRODUCTION

In Chapter 4, I argued for the established authority and gradually developing employment of the Gospel-book that expands further this authority. One of the first ways of this employment is to enthrone the Gospel-book in the middle of the councils, as first done in Ephesus I by Cyril. In Chapter 5, I showed how, even though we do not have any clear statements on what the book represents in the councils, we can deduce that it was still treated as Jesus Christ by the participants of the council, and as such had the supreme authority. In this chapter, I aim to explore further aspects of this authority based on two facts: its enthronement in the centre of the room and its preference over any other religious or secular object available in these councils. The purpose of this small chapter is to clarify the “stationary” authority of the book, and at the same time to act as a note that we need to bear in mind when we move through the next chapter where I examine how this authority is applied in practice.

6.1 THE SUPREME AUTHORITY OF THE GOSPEL-BOOK AS EVIDENT BY ITS PLACE IN THE MIDDLE OF THE ASSEMBLY

We have already seen that the Gospel-book was enthroned in the midst of the Home Synod of Constantinople and the council of Chalcedon, as it was in the first session of Ephesus I. Price rightly remarks that this was “the place of honour in the middle of the assembly” and I am confident that other prominent scholars like De Maio, Perry and De Halleux would gladly agree with him.⁷⁰⁷ At the same time though, renowned authors like Humfress and Graumann have shown the strong links between the conciliar and judicial procedure in these councils, as well as how many of the participants in these councils had prior forensic education themselves and knew well how the system worked so that they exploit it and reach the desirable outcome.⁷⁰⁸ On a parallel note, even more authors have written on the

⁷⁰⁷ *ACCh.2:127*¹⁵.

⁷⁰⁸ Humfress, 2007b; Graumann, 2007; Gelzer, 1907:142-155; Batiffol, 1919:84-154; Girardet, 1975:26-51; Talbert, 1984:480; Jones, 1973:329-341; Kaser, 1966:410-526; Steinwenter, *ZSSR.KA.23.1:1-116*.

topic of the episcopal courts (*episcopalis audientia*), their nature and authority, as well as their procedure.⁷⁰⁹

Undoubtedly, a lot could be written on the similarities and differences between these councils, the episcopal and the secular courts, especially for the period after Chalcedon in which the evidence is greater. However, this is not possible to do within the narrow limits of this thesis which focuses on the authority and employment of the Gospel-book in the church councils until Chalcedon, even more due to the fact that the first evidence of the book's employment in the secular and episcopal courts come from sources after Chalcedon, to the best of my knowledge.⁷¹⁰ Still, if we were to give a brief description of the way these councils operated, I would say that they were church councils consisting of church people occasionally in cooperation or even in rivalry with the secular forces. They were occupied with theological and doctrinal issues and originally borrowed elements from the judicial and forensic procedures followed in the secular courts, adapted these procedures to their needs and realities, and had legal and secular, aside from ecclesiastical, consequences on the participants. Over time these religious-judicial elements became more fixed and the procedure more standardised and led to the development of the Canon Law.

But this was not a one-way relationship in which the ecclesiastical councils would keep borrowing from the secular courts. On the contrary, it seems that there was a continuous give-and-take process in which these councils passed some of their religious elements to the secular courts and influenced the judicial procedure that had to continuously adapt in order to include the ecclesiastical reality. This is evident by the *"introduction of the concepts of 'heresy' and 'orthodoxy' into the late Roman legislative sphere"* which in turn led to *"the legal categorization and systematization of religious belief itself"*, in the words of Humfress.⁷¹¹ And as I have already argued in Chapter 1, it is probable that part of the effect of the church councils on the legal sphere was the introduction of the Gospel-book in the secular courts of the Justinian times, as a powerful and authoritative object that would manifest God's presence in the room, make the participants (litigants,

⁷⁰⁹ Humfress, 2007b; 2011; 2010. Rapp, 2005:242-260. Lamoreaux, 1995:143-167. Selb, ZSSR.RA.84.1:162-217. Kaser, 1966:526-529; 1996:641-644. Cimma, 1989. Vismara, 1995. Cuenca Boy, 1985. Crifò, 1992:397-410. Caron, 1996:245-263. Frakes, 2001:198-199. Huck, ZSSR.RA.120.1:78-105. Mathisen, 2001. Lenski, 2001:83-97. Dossey, 2001:98-114. Hermann-Otto, 1980:207-231. Bagnall, 1993:225. Harries, 1999:191-211.

⁷¹⁰ Ch.1.

⁷¹¹ Humfress, 2007b:268.

witnesses and lawyers) speak the truth, and also lead the judges to reach a God-pleasing ruling that reflects the actual events of the case and brings the truth to light. In other words, it seems to me that by the time of Chalcedon, the church councils and the secular courts, and possibly the episcopal courts for which we do not have enough evidence, were still developing and adapting their procedures though their interaction.

Another example of this reciprocal relationship between councils and secular courts must have been the physical setting of the room itself. This is particularly evident in Chalcedon in which the adjustment of the seats resembles that of a courtroom hosted in a church. We have secular presidents and judges, with clerics as co-judges, prosecutors, defendants and witnesses. Given that this is the first time a church council was held with so many secular officials presiding and with more than 500 clerics participating, there must have been room for some innovation in the adjustment of the room and the seats. As such, we find the seats of the judges at the head, the jury or co-judges on the left and right, the witnesses, defendants and prosecutors in the middle. As I said, all these point to the physical setting of a courtroom holding a trial, rather than to a council between equals debating on matters of faith. And in the midst of all these lies the Gospel-book, an object that would be fitting in a council but that is not very likely to have existed in the midst of the secular courts of the time (as probably were not any other objects), as argued in Chapter 1.

The Gospel-book constitutes the physical and spiritual core of this process, and everyone is gathered around it. In this sense, the central position in the room and the assembly could be considered as the "place of honour". However, there is an important clarification we need to make here. Bearing in mind that these councils operated like courts,⁷¹² borrowing their setting and procedures to some extent, the statement that this central space possessed any honour or authority may sound quite paradoxical. Because in these councils, as in the episcopal and secular courts, the central space was reserved for some of the weakest figures of the room, like the defendants, the prosecutors, their lawyers and representatives, the witnesses,⁷¹³ and generally everyone who was appealing to the higher authority of the judges and presidents of the assembly. All these were subject to the

⁷¹² *ACCh*.1:43. Cf. Humfress, 2007b; Gelzer, 1907:142-155; Batiffol, 1919:84-154.

⁷¹³ *ACCh*.1:43.

authority of the latter and put their fates in the judges' hands, who were seated at the head of the room, as the evidence of Chalcedon attests (CHA. s.1, §4).⁷¹⁴

Certainly, there are practical reasons for this physical setting. By having the people who speak the most in the centre of the room, they can be heard and seen by everybody in the room, while at the same time they feel in the centre of attention and being judged by everyone around them. Meanwhile, with the seats of the judges and presidents raised slightly above the level of those in the centre of the room, as is the setting in many modern courts, this creates a feeling of physical intimidation and imposed authority upon the ones in the centre who have to look upwards to speak to the judges.⁷¹⁵ In a judicial setting, these raised seats at the head of the council are the ones possessing the highest honour and authority,⁷¹⁶ and as such we should expect the Gospel-book to be there, if it was meant to be placed in a position of honour, instead of the centre of the room.

However, the book is not there. On the contrary, it is enthroned in the centre, where the less authoritative figures are standing. There are very good practical and theological reasons for the placement of the Gospel-book there, all closely related to the identity of the book. On one hand, it forces the speakers to testify over it and thus it acts as the most valid and authoritative truth-extractor. At the same time, they testify before it so that they see it and feel compelled to speak the truth as standing in front of God, if they wish not to be condemned in this life and the afterlife; because, as we have already seen, the book manifests Jesus Christ's presence in the room. It is this whole multifaceted theology that I have analysed in Part I, closely linked to the self-understanding and the mission of these councils. The Gospel-book is the Son of God and supreme judge of the Second Coming, the Word of God and the Truth personified, gathering everyone around him and giving them their identity, presiding over the council, examining

⁷¹⁴ CHA. s.1, §4, *ACO* 2.1.1:64-65; *ACCh*.1:128-129. To be more accurate, the Acts of Chalcedon do not use the word "head" or "centre" to describe the position of the secular presidents, but the word "middle" (μέσση). However, given the description of the physical setting, with the secular officials sitting "in front of the rails of the most holy sanctuary" and the bishops on their right and left, their formation must have been Pi-shaped (Π) with the secular officials seated at the head of the Π.

⁷¹⁵ The Acts of Chalcedon do not offer a description of the height of the seats, but such a setting could not be unlikely, given the number of the secular presidents (up to 38, as in the sixth session) and the bishops or their representatives (about 520) attending the council. A different setting where everyone's seat would be of or at the same level would make it difficult for those at the back to listen to those at the front.

⁷¹⁶ Similar must have been the setting in Ephesus I, as hypothesised by De Halleux. De Halleux, 1993:66.

them, acquitting the innocents, punishing the culprits, and generally bringing the truth to light, protecting the faith, and guiding the council to God-pleasing doctrinal and judicial decisions.

It is from this particular standpoint that the central space in these councils-courts becomes the "place of honour", or even more than that: a place of authority, given that the Gospel-book is not set in the midst of these councils as a purely decorative object to which some honour is attributed. On the contrary, it is actively participating in the process through all of the characteristics outlined above, sometimes more silently, and other times more prominently, as indicated by the times the Acts and the participants refer to it. As such, it becomes understood that the book holds honour and authority because of its identity, that of manifesting Jesus Christ in these councils, and not as much because it is placed in the centre of the room. It is the Gospel-book that gives authority and worth to the centre of the room and to everyone gathered around it, not vice-versa. This is reflected not only in the times the Gospel-book is highlighted in the Acts of the councils, but especially on the theology above that forms the spine of these councils. This is evident in the repetition of the particular language used to refer to the Gospel-book and Jesus Christ, as seen in Chapter 5, but also in the consistency of the way the book is highlighted which hints at this theology and shows a continuity between the councils and Jesus Christ.

In Matthew's Gospel it is Christ himself who asserts his students that "Where two or three have been gathered (συνηγμένοι) in my name, there am I also in the midst (ἐν μέσῳ) of them" (Mt 18:20). In the Acts of Ephesus, as we have seen, it is Pope Celestine who quotes this passage in his letter to the council read on the second session: "An assembly (congregatio / σύνοδος) of priests indicates (indicat / ἐμφανίζει) the presence (praesentiam / παρουσίαν) of the Holy Spirit ... gathered (congregati / συνηγμένοι) ... there am I also in the midst (in medio / ἐν μέσῳ) of them." (E431, CV §106.12).⁷¹⁷ Earlier, in the first session, it was Cyril who had enthroned the Gospel-book in the midst of the Cyrillian assembly and reported his action to the emperor twice in a similar manner: "Assembling (συναχθέντες) ... with the holy gospel-book set before [us] (προκειμένου) on the midmost throne (ἐν τῷ μεσαιτάτῳ θρόνῳ) to indicate (δεικνύοντος) that Christ himself was present

⁷¹⁷ ACO 1.2:22; 1.1.3:55.

(παρόντα) with us” (E431, CV §81.4),⁷¹⁸ as well as “the holy gospel-book set in the midst (ἐν μέσῳ κειμένου) indicating (δεικνύοντος) that Christ, the master of the universe, was present (παρόντα).” (E431, CV §84.2)⁷¹⁹.

Likewise, twenty years later it is the Acts of Chalcedon that highlight the presence of the Gospel-book in the midst of the assembly thrice by employing similar language. In the first session, “in the midst (ἐν τῷ μέσῳ) was set (προκειμένου) the most holy and immaculate gospel-book” (CHA. s.1, §4).⁷²⁰ Also in the fourth session “all had taken their seats ... with the holy and undefiled gospel-book set (προκειμένου) in the midst (ἐν τῷ μέσῳ)” (CHA. s.4, §2).⁷²¹ Finally, in the twelfth session “the sacred and undefiled book of the gospels be brought to the midst (μέσον)” CHA. s.12, §7).⁷²² There are more instances in the Acts of Chalcedon that this language is employed to refer to the Gospel-book and its place in the room, but these are the most indicative.

Consequently, it becomes evident that it is the theological and ecclesiastical aspect of these councils, rather than the judicial one, that gives to the central space of the assembly its identity as a “place of honour”. And it is again through this understanding that the Gospel-book emerges as an object with supreme authority in these councils that “honours” and dominates the centre of the room thanks to its identity and function. This centre does not have any authority on its own but rather draws authority from the presence of the Gospel-book there. To my understanding, had the theology of these councils been different, or differently articulated rather than through expressions of Christ in the midst, and the book might have been placed on a different location of the room. It could have been placed, for example, on the judges’ bench (as a judge and president of the council, or head of the assembly and the Church), or even on the altar in the sanctuary behind the backs of the judges, that is on a place that is not directly related to the conciliar-judicial procedure. On the contrary, the book is placed in the midst of the assembly, precisely because it has a multifaceted, active and authoritative

⁷¹⁸ ACO 1.1.3:4.

⁷¹⁹ ACO 1.1.3:11.

⁷²⁰ I stray here slightly from Price’s translation so that I highlight the language for my argument and also to stay closer to the Greek source. ACO 2.1.1:65; ACCh.1:129.

⁷²¹ ACO 2.1.2:92; ACCh.2:125.

⁷²² ACO 2.1.3:54; 2.3.3:63; ACCh.3:20.

role throughout the whole procedure: that of manifesting Jesus Christ as supreme president and judge, around whom everyone is gathered and from whom everyone gains their identity; a judge and leader who extracts the truth from the witnesses and leads the human judges and the clerics to the revelation of this truth and the protection of the orthodox faith.

6.2 THE SUPREME AUTHORITY OF THE GOSPEL-BOOK IN COMPARISON TO OTHER OBJECTS

Having thus examined the supreme authority of the Gospel-book as evidenced by its placement in the centre, we need to approach now the same question from a different perspective, that of comparing the authority of the book to the other religious and secular objects of the time. As we have already seen, in these councils the Gospel-book manifests Christ's presence in the middle, creates an atmosphere of divine judgement and extracts the truth from the witnesses, while at the same time gathers everyone around it and gives them their identity as true disciples of Christ.

A very good indicator of the Gospel-book's supremacy over any other object of the council is its irreplaceability. It is the only object enthroned in the midst, never replaced by another, and also it is the only object whose presence in the room is highlighted by the Acts. No other object is mentioned more frequently,⁷²³ and no other object takes the role of the Gospels as the object representing Christ in the middle of the assembly, as a truth-extracting tool, as a binding tool for the fulfilment of one's oaths and as an object on which they finalise decisions.

As we have already seen earlier, it was a custom and convenience these councils to be held in churches, or parts of the churches, like the baptistery, the portico, the episcopal conservatory etc. So, other religious objects were expected to be present, like the cross, the icons, the Holy Gifts etc. Some of these objects are closely related to Jesus Christ, and often represent him in an extra-conciliar context. But of all these, only the Gospel-book is used to actually manifest His presence in the councils of our sources. The reason for this has to do with the

⁷²³ I need to note here that this is true for the Home Synod of Constantinople (448) and the Synod of Constantinople (449). In Chalcedon, there are only two objects mentioned more often than the Gospel-book: the rails of the sanctuary in front of which the council was seated, and the church of saint Euphemia in which the synod took place. The authority of the Gospel-book is examined against both of these objects later.

different role each object plays as a symbol and its different attributes, which in turn reveal that the Gospels were the most adequate and authoritative object to represent Christ.

i. Objects related to Christ: the Cross, the Icon of Christ and the Holy Gifts

In particular, the Cross represents Jesus Christ in liturgies, rites and religious ceremonies of the Church, but it is more closely related to the passion, the crucifixion, the death and the resurrection of Christ.⁷²⁴ In other words it is linked to His mission and work on earth and to the salvation of mankind, and as such covers only one aspect and not the whole range of attributes the Gospel-book encompasses.

The same applies for the Icon of Christ,⁷²⁵ which could depict any event of His life and His presence on earth, represent Him in extra-conciliar and merely liturgical context, be used in teaching the faithful, but it was still lacking an attribute in comparison to the Gospel-book, that of depicting the Truth as the Word of God and extracting the truth, as it has already shown and will be shown later again.⁷²⁶

Likewise, the Holy Gifts are most probably present in the room. They are the main object in a liturgical context that shows Christ's presence in the Church, in the world and inside the faithful by being the life-giving blood and flesh of Jesus Christ. However, even these Holy Gifts are not chosen to be put in the middle of the assembly to represent Christ, like the Gospel-book is. We may see them have a different role in relation to the council, but this role is outside the conciliar procedure. The Holy Gifts are used after the councils, or sessions of the councils

⁷²⁴ The Cross was already used by Christians in the second century, and the Crucifix in the fifth. Furthermore, it is possible that the empress Helena already had allegedly recovered the True Cross since 326–328. The veracity of her claims though are disputed nowadays.

⁷²⁵ Christian icons also existed since the second century. Yet in Chalcedon it is worth highlighting the striking absence of any references to the presence of an icon of St Euphemia, in whose church the council was held. As a person, she is mentioned several times in the course of the council, very often in acclamations. Even her relic appears involved in a miracle recorded by the Synaxarion of Constantinople. The Monophysites and Orthodox are said to have written a confession of their faith and to have laid them on the chest of the St Euphemia in her tomb. Three days later they opened the tomb and found the scroll with the Orthodox confession in the right hand of St Euphemia, while the Monophysite scroll at her feet. No matter how interesting this account may be from a hagiographical perspective, what is remarkable is that again we have no reference to the existence of an icon of St Euphemia that could be used in the conciliar procedure. Only the Gospel-book possesses this quality.

⁷²⁶ Ch.3.2, Ch.7.2.

to seal the reconciliation between the contesting sides. Characteristically, in the tenth session of Chalcedon, bishop Photius informs us that a few years earlier, in the council of Tyre/Berytus (February 449), he and the other two co-presidents (bishops Eustathius of Berytus and Uranius of Hemerium) preferred to act more like mediators, rather than judges, in the case of Ibas of Edessa and his opponents by deciding to “reconcile both parties and restore communion between them”, or put differently to “make them friends” (CHA. s.10, §22).⁷²⁷ After they did this, they sealed this reconciliation by having bishop Ibas “and the presbyters receive the holy gifts upstairs in the episcopal palace in communion with each other” (CHA. s.10, §24).⁷²⁸ This reveals the close association of the Holy Gifts to the reconciliation, which was also one of the aims of the ecclesiastical councils.⁷²⁹ But this role was performed outside the strict boundaries of the conciliar procedure. They were used, as I said, in the end of some sessions and councils to signify the restored communion between the rivals, their sharing of the same faith and their sense of belonging together in the same body of Jesus Christ, that is the Church.

ii. The Church

Speaking of the Church, and as we still are in the world of symbols, there is another physical element that is constantly present and mentioned in these councils (unlike the aforementioned objects that remain unnoticed), even more often than the Gospel-book; that is the churches. Our sources keep mentioning in the beginning of each session that the session was held in a church, like the “most holy church of Antioch” (A445, CHA. s.14, §15),⁷³⁰ the “most holy new church of Berytus” (TB449, CHA. s.10, §2),⁷³¹ the “most holy church called after Mary” in Ephesus (E449, CHA. s.1, §68),⁷³² the “most holy church” of Constantinople

⁷²⁷ CHA. s.10, §22, *ACO* 2.1.3:18; *ACCh*.2:276.

⁷²⁸ CHA. s.10, §24, *ACO* 2.1.3:18; *ACCh*.2:276.

⁷²⁹ To be more accurate, using these councils to achieve reconciliation was the main aim of the Emperors, who wanted to secure the stability of their empire. However, the aims of the clerics were significantly different, since their prime concern was not reconciliation, but rather the pursuit and securing of the truth, the orthodoxy, and the “faith of the fathers”.

⁷³⁰ CHA. s.14, §15, *ACO* 2.1.3:69; *ACCh*.3:44.

⁷³¹ TB449, CHA. s.10, §28, *ACO* 2.1.3:19; *ACCh*.2:277.

⁷³² CHA. s.1, §68-80, *ACO* 2.1.1:77; *ACCh*.1:144.

(C449b, CHA. s.1, §555),⁷³³ and of course the “most holy church of the holy martyr Euphemia” in the council of Chalcedon (CHA. s.1, §2).⁷³⁴ Undoubtedly, there was a practical convenience to hold these ecclesiastical councils inside churches, buildings that were thematically related to the discussion and essence of these councils (i.e. theology) and in which the clerics would feel more familiar. However, it is quite possible that at a symbolical level, these churches could be treated as symbolisms and representations of the Church, with Jesus Christ (manifested through the Gospel-book) in the middle, as the centre and head of the assembly. As such, the churches would not be able to signify the presidency of Christ, but rather His body (i.e. the Church), and consequently have a lesser authority than the Head of the Church.

Furthermore, even though the churches are frequently mentioned in our sources, they are still not as crucial as the presence of the Gospel-book itself. To this points the following incident taking place between the fourth and fifth session of Chalcedon. In the session on Carosus and Dorotheus,⁷³⁵ presbyter Alexander reports that he was sent by the council to Emperor Marcian to inform him about a petition from the monastic opponents of the council (i.e. Carosus, Dorotheus, Barsaumas and those with them) that:

“Your piety promised to assemble the monasteries, and us with them, and in the presence of the holy gospel-book to hear the case between both sides. So if your piety will order it, let it be done, since we are not able to go there.” (CHA. s.CD, §4)⁷³⁶

In this passage, the monks request a hearing from the Emperor, so that they can present their positions to him, since they (being monks) were not allowed to take part in councils, unless they had the permission of the emperor. What is striking in this incident is the authority of the Gospel-book, as revealed by the emphasis they place on it. The monks do not focus their request on the need to attend the council of Chalcedon, which could be done with a simple order by the Emperor, especially since Barsaumas had prior experience of this and knew that it was

⁷³³ CHA. s.1, §555, *ACO* 2.1.1:148; *ACCh*.1:229.

⁷³⁴ CHA. s.1, §2, *ACO* 2.1.1:55,64-65; *ACCh*.1:122,128-129.

⁷³⁵ On the date of the session: *ACCh*.2:166⁵.

⁷³⁶ CHA. s.CD, §4, *ACO* 2.1.3:100; *ACCh*.2:166.

possible after attending Ephesus II under the orders of Theodosius.⁷³⁷ They rather request a new hearing and set as their only prerequisite the presence of the Gospel-book. In other words, they do not request to attend the council; they do not request the hearing to be held in a church, as it could probably be held in the palace too; the presence, presidency, judgement and authority of the Emperor are not sufficient on their own for them; their primary concern and condition is the hearing to be held “in the presence of the holy gospel-book”. This highlights the supreme authority the Gospel-book had in their eyes, in comparison to the authority of the Emperor, and the importance of the location, which as we saw does not necessarily have to be a church.⁷³⁸

iii. The authority of the Emperor

Given the reference to the authority of the Emperor, and despite him and his authority not being objects, it is probably worth writing a few things by way of clarification on the relationship of the Gospel-book to the authority of the Emperor. As I have already argued many times throughout this thesis, the setting we see in these councils is that of Heavenly Court on earth, rather than that of any council or secular court. Cyril achieves this in Ephesus I by enthroning the Gospel-book as Jesus Christ in the midst and having everyone testify over it as standing before God. By doing this, according to his argumentation, he ensures that the truth will be brought to light by having the personification of Truth and Son of God of the Second Coming judge everyone in this council, extract the truth from them, intimidate the liars with his presence and support his true disciples, guide the council to an orthodox and God-inspired decision, while condemn the culprits with a punishment that affects them on this life and the afterlife. This understanding is repeated by Besa’s *Life of Shenoute* as well as by the councils they followed and subscribed to Cyril’s and the Gospel-book’s authority. All these are achieved through the Gospel-book.

At the same time, we are almost a century after the development of Eusebius’ political philosophy that comes out in the age of Constantine, as outlined in Runciman’s *Byzantine Theocracy*. The God has modelled the Heaven and the Earth

⁷³⁷ CHA. s.1, §48; E449, CHA. s.1, §78, ACO 2.1.1:71, 81; ACCh.1:137,146.

⁷³⁸ On the Emperor’s inadequacy to judge doctrinal cases: Ch.6.1.iii, Ch.7.2.i, as well as the gist of Cyril’s response to Theodosius II on Ch.2.3.

as mirrored images, so given that there is one God King in Heaven, so there is (or should be) one Emperor on the earth. In Runciman's words presenting Eusebius' views, the Emperor "is not God among men but the Viceroy of God ... not the logos incarnate but ... in a special relation with the logos ... specially appointed and ... continually inspired by God ... friend of God ... interpreter of the Word. He must be surrounded with the reverence and glory that befits God's earthly copy; and he will 'frame his earthly government according to the pattern of the divine original, finding strength in its conformity with the monarchy of God'".⁷³⁹ Everyone should subscribe to the authority of the Emperor, and he in turn was expected to act as God's representative on earth that should ensure that the orthodoxy and the Church will be safeguarded, and that Christianity will prevail and spread to every corner of the world.⁷⁴⁰

This understanding of "one God, one Emperor, one Church" played most probably a significant role in the further prevalence of the "one Truth" of the Gospel, as a means for the Emperors to achieve unity; because for the Emperors the main political aim was to maintain the cohesion of the Empire. The existence of one God entailed the existence of one truth and one religion. This is why, in times of great doctrinal conflicts shaking the foundations of the Empire, the Emperors felt the need to summon councils to achieve unity under the justification to examine and establish the truth, as attested by their convocation letters.⁷⁴¹ This view of "one Truth" was further established and pursued by Theodosius II who, influenced by Augustine's development of a theology of *consensus* according to which the Christian fathers speak "with one heart, one voice, one faith",⁷⁴² called for a submission to the faith of the Fathers.⁷⁴³

However, aside from how the Emperors viewed and presented themselves to achieve their political means with theological justification, and regardless of the Eusebian portrayal of the Emperor, many prominent Church men did not share Eusebius' views on the imperial authority and did not welcome the Emperors' mingling in the matters of faith. Because, as Runciman excellently remarks,

⁷³⁹ Eusebius, *Life of Constantine*, 1902:201; Runciman, 1977:22.

⁷⁴⁰ Runciman, 1977: ch.1-2.

⁷⁴¹ Ch.2.2.

⁷⁴² Augustine, *Against Julian*, 1.5.15; 1.3.8; PL 44:650; 645.

⁷⁴³ This shift of Christianity to the monophony of "one Truth" and "one faith" (orthodoxy) through *consensus* constituted a further differentiation from their Jewish counterparts, and more specifically the Jewish understanding of the "truth" being expressed through the polyphony of interpretation of the Rabbis in Talmud. Boyarin, 1929:74-76.

"Eusebius was Subordinationist in his theology of the Trinity. It was easy for him to stretch his Subordinationism to include the Emperor as a sort of earthly emanation of the Trinity".⁷⁴⁴ But for theologians like Athanasius of Alexandria, Cyril's forebear, giving such religious authority to the emperor was simply unacceptable.⁷⁴⁵ As unacceptable was this view for those raised in a stronger Roman legal background, where the Emperor was never above the Roman Law and Constitution and he was always liable to those below him, that is the Senate, the Army and the People, who had after all elected him.⁷⁴⁶ In the centuries that followed, the Western and the Eastern bishops and holy men many times fiercely opposed the imperial decisions, as evident by the examples of Hosius of Cordova, Ambrose of Milan, John Chrysostom, Pope Gelasius,⁷⁴⁷ Daniel the Stylite,⁷⁴⁸ and of course Cyril, whom we earlier saw to indirectly remind the Emperor that his authority lies below that of "the master of the universe" Christ.⁷⁴⁹ Yet the bishops would still seek to gain the Emperor's favour, especially in order to use his political and secular authority of convoking ecumenical councils and enforcing their decisions,⁷⁵⁰ but he was never meant to pronounce on matters of doctrine.

This is particularly evident in Marcian's response to the petition of Carosus and Dorotheus, mentioned above, where he informs them boldly that "if [he] wished to take [his] seat in the midst of [the monks] ... and hear the case between both sides, [he] would not have troubled the holy and ecumenical council ... whatever the holy and ecumenical council may decree and transmit to [the Emperor] in writing, [he] shall agree with them, concur with them, and put [his] trust in them. [The monks should] grasp this; [they] will not get any other answer from [the Emperor]" (CHA. s.CD, §4).⁷⁵¹

⁷⁴⁴ Runciman, 1977:24; Baynes, 1929:95-103.

⁷⁴⁵ Runciman, 1977:24.

⁷⁴⁶ Runciman, 1977:23.

⁷⁴⁷ Runciman, 1977: ch.2.

⁷⁴⁸ Thesis Conclusion.

⁷⁴⁹ Ch.2.3.

⁷⁵⁰ See for example the council's concluding statement in the relevant session: "this holy and ecumenical great council decrees ... with the secular authorities enforcing the decree against the disobedient, in accordance with the divine and sacred canons of the fathers" (CHA. s.CD, §11). ACO 2.1.3:101; ACCh.2:168.

⁷⁵¹ ACO 2.1.3:100; ACCh.2:166.

The secular officials also adhered to this position, as evident by the words of patrician Florentius in the Synod of Constantinople, where he affirms that he “did not make this pronouncement (i.e. ‘He who does not say “from two natures” and “two natures” is not orthodox in his beliefs.’), for I [Florentius] was not able to lay down dogma” (C449b, CHA. s.1, §778).⁷⁵² The decisions on doctrines and matters of faith was the job of the bishops acting through the councils. Every time an Emperor attempted to enforce a doctrine without the support of the Church, he met the bold resistance from the bishops of the West and the East.⁷⁵³ Nevertheless, this did not deter the Emperors from trying to control the Church and its decisions, as the example of Chalcedon shows where Marcian compelled the bishops to produce a new definition of faith;⁷⁵⁴ it is just that they had to do it through the Church politics and councils, and by getting powerful bishops on their side, but never directly on matters of doctrine.

Returning to the incident examined above with the monks reminding the Emperor of his promise to hear them before the Gospel-book, we are in a period where the Emperor’s authority over religious issues is even more weakened than before. His Eusebian image as God’s representative on earth had received significant blows and was now “smudged”,⁷⁵⁵ given the battles between the claimants to the throne after Constantine or the several Emperors supporting non-orthodox, and even non-Christian (as in the case of Julian) doctrines. Even the last Emperor Theodosius II, who had shown such a great interest in the establishment of the orthodox faith in Ephesus I, died convoking and supporting a council that was now considered a “den of thieves” (latrocinium)⁷⁵⁶ and whose decisions Chalcedon was now called to revoke.

The monks standing before Marcian certainly did not share this view, because to them Ephesus II was a legitimate council and Theodosius II was still an orthodox Emperor. But in terms of imperial authority they probably looked extremely critically at this new Emperor, who wanted to annul the decisions of an ecumenical council. For this reason, it was extremely important to them to make sure that they would be heard before someone with supreme authority; someone who would

⁷⁵² ACO 2.1.1:172; ACCh.1:259.

⁷⁵³ Runciman, 1977: ch.2.

⁷⁵⁴ ACCh.1:92.

⁷⁵⁵ Runciman, 1977:39.

⁷⁵⁶ Leo, *Epistle* 95 (20 July 451), ACO 2.4:50-51 (ep. 51); ACCh.1:106.

guarantee their prevalence by supporting them in their truthful testimonies, punish their opponents and inspire the Emperor to pronounce a truthful (i.e. favourable to them) decision. This someone could only be the personification of Truth itself, the Son of God, the only true and supreme judge, that is Jesus Christ manifested through the Gospel-book. Hence it becomes clear that even though the monks subscribed to the Emperor's secular authority, as indicated by their request for a hearing, and especially his power to enforce it, little to no trust did they have on his religious authority and for this reason they requested the Gospel-book to be present in the room; a request that reveals the Gospel-book's supreme authority.

THE INITIATIVE FOR THE HEARING TO BE HELD BEFORE THE GOSPEL-BOOK

To be fair to the source though, there is something that should be noted here. In the passage it does not become clear by whose initiative should the hearing be held before the Gospel-book. It could have been Marcian's suggestion as a clear acknowledgement that he was not capable of deciding on doctrinal issues. This is an approach similar to Constantine, who assembled the bishops at Nicaea to take the decision for him. Here, the promise is definitely presented as belonging to the Emperor, but it could have come as a response to the request of the monks for a hearing before the Gospel-book; and the phrasing of the passage points to the Emperor as an instigator.

However, there are several good reasons according to which it could be the monks who set this condition. Firstly, the book was a religious object employed in ecclesiastical councils and as such the monks would have been familiar with it, even if they were not allowed to participate in them. Secondly, the monks were Monophysites from Constantinople, a group and a location that revered Cyril and the authority of the book. This applied both to the clerics under archbishop Flavian,⁷⁵⁷ and to monks under Eutyches, who in the past was Cyril's agent in Constantinople.⁷⁵⁸ With them was also Barsaumas, another Monophysite monk from Syria, who was zealously anti-Nestorian and who had attended Ephesus II on the side of Dioscorus and hence respected greatly the authority of the book. These point to the monks as instigators of the request.

⁷⁵⁷ Ch.4.1.iv.

⁷⁵⁸ Runciman, 1977:38.

Nevertheless, there is another possibility according to which it may have been Theodosius II who initiated the practice of holding a hearing before the Gospel-book in secular spaces. His respect for the authority of the Gospel-book was evident not only through his acknowledgment of the decisions of Ephesus I and II, but also through his request that the bishops should swear an oath on the Gospel-book before they make a pronouncement in the Synod of Constantinople in 449.⁷⁵⁹ This, alongside the fact that Marcian was fairly new to the throne and as such was not very likely to initiate new religious practices, point to either the monks or Cyril and Theodosius II as instigators of this practice. However, the fact that the monks had to specifically request for the Gospel-book to be there shows that this practice was still gradually established and could be not taken for granted. After all, it would take almost two more decades for the Gospel-book to be officially introduced in the secular buildings after the edict of Emperor Leo in 469.⁷⁶⁰

In the very end, the initiative of the request matters little here, because what is clear above all is that both sides agree on the need for the hearing to be held over the Gospel-book, regardless of the location or the presence of any other religious object. It is the book that manifests Christ's presence in the room as a judge, who guides the Emperor to the right decision. It is the book that creates this atmosphere of Heavenly Court in which the Son of God of the Second Coming is the supreme judge, whose rulings affect the fate of those judged in this life and the afterlife; and it is again the very same object that can guarantee the extraction of truth from the participants. All these reveal once again the supreme importance and authority of the Gospel-book in the eyes of monks and Emperor alike.

GENERAL REMARKS ON THE MIRRORING REALITIES, THE QUESTION OF THE GOSPEL-BOOK BEING A "SYMBOL" OF CHRIST, THE AUTHORITY OF THE BOOK AND THE AUTHORITY OF THE EMPEROR

To conclude my analysis on the authority of the Gospel-book in comparison to the authority of the Emperor, I would like to make a few general remarks that add further to the supremacy of the book.

⁷⁵⁹ Ch.4.2.ii, Ch.7.2.i.

⁷⁶⁰ Ch.1.

Throughout this thesis, I have many times shown how these councils operated in a setting of a Heavenly Court, an effect achieved by the enthronement of the Gospel-book in their midst to manifest Christ's presence and presidency over the assembly. In the context of two mirroring realities, as argued by Eusebius of Caesarea and outlined by Runciman, the earthly reality reflects, or should be structured to reflect, the heavenly reality. As such, an earthly human courtroom is gradually elevated to the heavenly sphere with its decisions affecting the fate of its participants in this life and the afterlife.

However, in my opinion, this should not be understood as having a prototype in Heaven and a copy on Earth. In the councils the Gospel-book is employed we have something more than that. The "prototype" is not simply in Heaven and its reflection on Earth; it rather descends on Earth and mingles with the humans. In the understanding of their participants, it is God Himself who descends from Heaven, through the Gospel-book, to judge them and define their fate on Earth and in Heaven. And again, it is Christ who takes these human councils and elevates them to the divine sphere. It is the Son of God, through the book, who guides them to reveal the truth and reach a God-pleasing decision, as we have seen in the Acts of Ephesus and as we will see in the Acts of Chalcedon. As such the Gospel-book is not just an object with a mere "symbolical" value; it is rather the actual manifestation of Christ in the assembly and an active and most authoritative participant in the course of the council.

To be more specific, the Cyrillian side, who enthroned the Gospel-book in Ephesus, twice reports to the Emperor that the book manifested Jesus Christ by using the participle "δεικνύοντος" of the verb "δείκνυμι" (E431, CV §81.4; CV §84.2),⁷⁶¹ which means "show, make known, prove etc."⁷⁶² Especially in its present participle form, as in our sources, it shows that the action is taking place at that time right before their eyes. As such the Gospel-book has a more direct role in the council and does not act simply as a "symbol"⁷⁶³ (with its modern sense of the word) of Christ; it rather serves as proof of his presence in the midst. Because to our modern understanding, one of the meanings of "symbol" is to "denote

⁷⁶¹ ACO 1.1.3:4,11.

⁷⁶² "Δείκνυμι", *GLRB*, 1900:347; *GEL*, 1968:373.

⁷⁶³ The noun (σύμβολον) is never used in the Acts of Ephesus and Chalcedon to refer to the Gospel-book, despite its multitude of meanings as "tally, token, mark, indication, emblem, guarantee" or its Christian liturgical use, possibly because to the participants of these councils the Gospel-book was not just a "symbol". "Σύμβολον", *GLRB*, 1900:1027; *PGL*, 1961:1282; *GEL*, 1968:1676-1677.

something else (not by exact resemblance, but by vague suggestion) ... a material object representing or taken to represent something immaterial or abstract ... an object representing something sacred", that is to act as a "representation".⁷⁶⁴ But the book does not stand as a mere "representation" of Jesus Christ in the council, even less a vague one, but rather as proof of his *actual presence*.

For example, a symbol of a river shows that there is a river somewhere, but it is not and cannot act as the river itself. In these councils though, the Gospel-book acts as Jesus Christ himself and not simply as an object symbolising him. A symbol does not speak or possess animate qualities, but the Gospel-book in Ephesus displays anthropomorphic characteristics. It "manifests ... Jesus Christ" (E431, CV §81.4; CV §84.2),⁷⁶⁵ rather than "is set ... (i.e. as an object set by someone else, who would be the agent of action) ... to manifest". It "shout[s] to the sacred ministers: 'Judge a just judgement; judge the holy evangelists and Nestorius' clamours'." (E431, CV §118.18).⁷⁶⁶ It, as the Son of God, brings the truth to light, pronounces judgements, condemns and punishes the heretics. In the Acts of Chalcedon the book has a more silent role, but it still manifests Christ's presence in the councils (C448 s.7, CHA. s.1, §458, §720; CHA. s.1, §4; s.4, §2),⁷⁶⁷ it guarantees the truth of those testifying and judging (C448 s.6, CHA. s.1, §447, §450; C449b, CHA. s.1, §569-571; §640-644, §654-658; CHA. s.1, §855; s.4, §8; s.CD, §4; s.5, §12; s.10, §20),⁷⁶⁸ it urges the judges to a decision (CHA. s.12, §7-8),⁷⁶⁹ it, as the Holy Spirit, "dictates the definition", validates it and sanctifies it (CHA. s.5, §12).⁷⁷⁰ The participants of these councils do not stand "as if before God", but rather "having before [their] eyes the fear of God" (C448 s.6, CHA. s.1, §450).⁷⁷¹ These functions of the Gospel-book fit more to a living person with authority over Earth and Heaven, rather than to an inanimate object that is simply "symbolising" a different reality.

⁷⁶⁴ "symbol, n.1.", *OEDO*, <http://www.oed.com/view/Entry/196197>, accessed 08/06/2013.

⁷⁶⁵ ACO 1.1.3:4, 11.

⁷⁶⁶ ACO 1.1.3:83.

⁷⁶⁷ ACO 2.1.1:137,166; 2.1.2:92; 2.1.3:53-54; ACCh.1:215,252; 2:125; 3:20.

⁷⁶⁸ ACO 2.1.1:135,152,158,160,161,180; 2.1.2:93-94,124; 2.1.3:18,100; ACCh.1:213,233,241, 243,245,270; 2:127,166,198,257,275.

⁷⁶⁹ ACO 2.1.3:54; 2.3.3:63; ACCh.3:20.

⁷⁷⁰ ACO 2.1.2:124; ACCh.2:198.

⁷⁷¹ ACO 2.1.1:135; ACCh.1:213.

A similar theme is that of marriages. A priest marries a couple, but it is actually Christ who is blessing them and binds them in marriage. So the Roman "earthly marriage" between two individuals (with no transcendent significance) now becomes a "heavenly reality" thanks to the role of the priest, who does not act as a symbol pointing to another reality, but rather as an agent who enables Christ to act through him. This is the same way the councils viewed their role (i.e. as agents) in general, and the Gospel-book's role (as Christ) in particular manifesting God's presence among them. Another theological parallel is that of the transubstantiated Holy Gifts being Jesus Christ, and whoever receives the Holy Eucharist receives Jesus Christ himself. We are not dealing with symbols here, but with physical objects manifesting God among people. The difference between the Holy Gifts and the Gospel-book though is that the latter is constantly the Word of God without the need of a sacrament or prayer to give the physical reality a supernatural dimension.

To put it more schematically, to my understanding the difference between an object or a person acting as a "symbol", an "agent" or an actual reality can be shown in the following statements articulated by a priest holding the Gospel-book and performing a sacrament or sacramental action (e.g. marriage, condemnation, exorcism etc.):

- a. *"By the authority vested in me by Christ, I pronounce/command you..."*

Here the priest acts as an agent with the Gospel-book as a symbol of God's authority that the priest carries and on the basis of which the priest acts.

- b. *"Christ through the Gospel-book pronounces/commands you..."*

Here the priest acts as a facilitator of God's work, and it is the Gospel-book that acts as an agent (or vessel) of Christ's authority. In this expression, the book still plays an inanimate role, as in the first case, only that it has a more direct involvement and a higher authority than that of being a mere "symbol": it is now a vessel or channel through which Christ acts.

- c. *"The Gospel-book pronounces/commands you..."*

In this statement, which is more typical of the articulation in the Acts of Ephesus and Chalcedon, as shown above, the Gospel-book is Christ himself and it is the one performing the actions (frequently grammatically too, as the subject of the sentence), and hence has a more direct and animate involvement in the conciliar-judicial procedure. As such, its authority here is higher than that of an agent-vessel, and especially an inanimate symbol.

Hence, in the context of these councils where the Gospel-book operates as God, the authority of the Emperor and the other humans plays a very limited role. The clerics are expected to listen to the Gospel-book, facilitate it to bring the truth to light and pronounce a decision according to its judgement. At the same time, the Emperor's duty is to use his political means to convoke the councils and make sure that everyone invited will attend them,⁷⁷² but he does not play a significant role during the conciliar-judicial procedure. On the contrary, he is almost always absent from it, as the examples of Constantine, Theodosius II and Marcian show, who either did not attend the councils (Ephesus I, Home Synod of Constantinople, Synod of Constantinople etc.), or attended merely one session (Nicaea, Chalcedon).⁷⁷³ The same applies for his secular officials: they are unable to control the procedure in Ephesus I, they are absent in most sessions of the Flavian Home Synod and the third session of Chalcedon, as they are absent in the council of Tyre/Berytus and Ephesus II, where the book is present, while in the Synod of Constantinople and the sessions of Chalcedon in which they preside, their role is limited to the judicial-administrative aspect of the procedure.⁷⁷⁴ Neither the Emperor, nor the imperial commissioners are entitled to pronounce on matters of faith or direct the council on theological issues.⁷⁷⁵ This was the job of Jesus Christ who would speak through the council and the Gospel-book. Only after the Word of God had revealed the truth and established the orthodox faith was the Emperor's help sought again to employ his secular authority and safeguard the orthodoxy by enforcing the conciliar decisions throughout the Empire. And even then, his power was restricted in this world and in no way affected the afterlife of those subjected to his secular authority. On the contrary, the book is there (after Ephesus I) with an authority that transcends the human reality and affects the divine. After all, the book itself is part of this divine reality as the physical

⁷⁷² Typical is Constantine's warning to the bishops, when convoking the Council of Tyre (335) not to dare to defy his summons and ignore the Emperor's efforts to defend the truth. Runciman, 1977:18-19.

⁷⁷³ Marcian attended Chalcedon only during the sixth session that is after all the most important events had taken place, like the annulment of Ephesus II, the deposition of Dioscorus and the promulgation of the Chalcedonian Definition. Constantine attended the opening of Nicaea, but in the lack of Acts it is not clear what he did afterwards. Runciman, 1977:16; Baynes, 1929:87-90.

⁷⁷⁴ For the presence of the secular officials in these councils: Ch.5.2.ii.

⁷⁷⁵ It should be clarified here that in Chalcedon the secular officials, following the orders of the Emperor, impose on the bishops the Emperor's will to produce a new Definition of Faith, and also to resolve the other administrative disputes between rival bishops against the will of clerics. But even in these cases the secular forces are focusing on the need to reach a doctrinal or administrative resolution, but they cannot dictate which specific resolution this will be. That is the role of the Gospel-book through the council. *ACCh*.2:1-5,183-194,206-208.

manifestation of the Son of God. Consequently, it becomes evident, I hope, why, to my understanding, the Gospel-book as an object had supreme authority that was higher even than the Emperor's in the context of these councils.

iv. The Rails of the Sanctuary

Getting back to the objects in these councils and the comparison of their authority to that of the Gospel-book as evidenced by the references of the Acts to them, there is another object mentioned in Chalcedon (but not in the other councils), more often than the Gospel-book. It is the rails of the sanctuary of the church of Saint Euphemia in front of which the council was seated. Despite its many occurrences in the Acts though, these references are always in the introductory paragraphs of each session and they are there for merely informative reasons (at a physical level), as well as for rhetorical purposes⁷⁷⁶ to enhance further the Heavenly Court setting created by the presence of the Gospel-book in the room. However, even as such, the rails of the sanctuary do not play the same central role in the conciliar-judicial procedure as the Gospel-book does and they offer only a supportive role to it. This again attests to the Gospel-book's supremacy over that of any other object as the most important element in the conciliar procedure, especially given that it is the only object highlighted and frequently employed in the conciliar procedure.

v. Secular objects

Apart from the aforementioned, there is one more thing that needs to be highlighted here: the absence of any references to objects with secular authority. And if this is something to be expected in the ecclesiastical councils in which no secular officials were present (e.g. most sessions of the Flavian Home Synod), this absence is rather striking in the councils with a heavy secular presence and presidency, like the council of Chalcedon, or a lighter one, like the Synod of Constantinople (449), or Ephesus I in the past. We do not see any codices or documents of the imperial legislation to be enthroned in the middle of the rooms. They are not evidently used in the judicial-conciliar process of extracting the truth, or the pronouncement of sentences and the finalising of decisions. Nor do we see

⁷⁷⁶ For the rhetorical use of the Gospel-book by the editor of the Acts: Ch.7.1.

any statues or insignia of the status and the authority of the Emperor in the middle of the assembly on which people could give their testimonies and swear their oaths.⁷⁷⁷ Absent from the Acts are even references to Constantine's famous religio-secular Chi Rho (✠) monogram,⁷⁷⁸ one of the official imperial insignia from Constantine onwards. It may have been in the room, but the Acts do not feel the need to highlight its presence, precisely because it was of no value to the conciliar-judicial procedure. In the midst of the room, we only find the Gospel-book, and this further attests to the book's special position in the councils and its supreme authority that is higher than any other secular object.

vi. The supremacy and adequacy of the Gospel-book as the object through which the truth is established and the reconciliation is achieved

But what was the reason for this special place and what was the Gospel-book's distinctive characteristic that brought it forward, above any other object? What was so special about the authority of the Gospel-book that gave it a central place in the middle of these councils and made it be used instead of any other religious or secular object, on one hand, and exclusively manifest the presence of Jesus Christ, on the other?

Regarding the supremacy of the authority of Gospel-book based on its preference over any secular objects, the answer is rather simple, I think, and has already been analysed above. The same way the Emperor cannot replace Jesus Christ in the context of these councils or out of them, but rather needs the Son of God to descend from Heaven and inspire the Emperor to reach a truthful decision, the same way the authority of the book cannot be substituted by that of any secular object. Even more due to the fact that these councils had a strong ecclesiastical-theological background, theme and focus, therefore it was reasonable for a religious object to be enthroned in their midst, rather than a secular one. As such, it becomes clear why I claim that the Gospel-book had supreme authority in comparison to that of any secular object, or even the Emperor himself, in the

⁷⁷⁷ For the discussion on the Altar of Victory, which again was a religious (even though not Christian) rather than secular object: Ch.1.4.

⁷⁷⁸ Eusebius, *Life of Constantine*, 1902:21.

setting of these councils. After all, no Christian Emperor would ever claim to possess an authority equal to or more supreme than that of God.⁷⁷⁹

As for the religious objects, why of all the other available at their disposal would the councils pick specifically the Gospel-book and place it in the midst to represent Christ, rather than using it interchangeably with other objects symbolising Christ in a liturgical context, like the cross, the icons, the Holy Gifts etc.? To my understanding, the reason is precisely due to the special characteristics the Gospel-book embodied and how these attributes could serve the purposes and aims of the councils, as explained in Part I and also earlier.

Since Constantine, Emperors saw the councils as the best means to achieve reconciliation, either under the "pretence", that would be appealing to the clerics, of a love for the truth or through a genuine interest for it emanating from a political-religious understanding of "one God, one Emperor, one Truth, one Religion, one Gospel-book" to which everyone should subscribe and thus ensure the unity of the Empire. But although these councils were viewed by the Emperor as a means of reconciliation, they were not viewed the same way by the clerics; or at least primarily. Because the clerics may also have wanted to achieve reconciliation, but their primary concern was not reconciliation, but safeguarding the truth and orthodoxy by preserving the faith of their Fathers;⁷⁸⁰ or at least what each of them viewed as "truth", "orthodoxy" and "faith of the Fathers and the Gospels", since as we know the true content and identity of these notions was contested at the time.

In other words, even though the main elements of what both sides wanted to achieve were the same (truth and reconciliation), the way they prioritised these goals was different. All sides (secular authorities, clerics and holy men) pursued the unity of the body of Christ, that is the Church, and the sharing of one common faith; but they usually, if not always, viewed this communion as the prevalence of the "true", "correct" and "orthodox" faith of one side over the "misled", "erroneous" and "heretical" side of the other. It was very rare, if ever, for the Church people to be willing to compromise and reconcile at the expense of the

⁷⁷⁹ Scholars are divided on the question whether the ancient Roman Emperors claimed to be and were worshipped as gods while alive, and whether this imperial cult was merely a political construction or if it should be treated as a proper religion (*religiō*) too. Weddle C., 2014:3720; Price S.R.F., 1999:510-511; 1984b; 1984a:79-95; Magyar, 2009:385-395; Burton, 1912:80-91; Weddle P., 2010.

⁷⁸⁰ Ch.3.

truth and orthodoxy, with Chalcedon being maybe the first example of an effort to accept a definition that would embody the terminology and positions of two different sides, the Alexandrian and the Antiochene; and still this effort would have not been as successful, or even existent, without the puissant determination of the Emperor to resolve the conflict for the sake of the Empire.

So it is probable that, in the councils after Ephesus I, the Gospel-book became established in the midst of these councils as the most adequate manifestation of an object through which the truth would be established and reconciliation would be achieved. These two needs of the councils, the need for truth and the need for reconciliation are best served by the Gospel-book. Of all the religious objects in the church, only the Gospel-book embodies both attributes among others. It is the word/Word of God and as such equal to the one and only truth/Truth. At the same time, it is the only common ground and uncontested authority for all Church people (Flavian, Eutychean, Dioscorean etc.), and at the same time an expression of the tradition of the Fathers, and especially Cyril who first established this practice. Probably it is these qualities of the book (authority, manifestation of God, truth, reconciliation, tradition etc.) that make the Emperors subscribe to its authority, welcome it in the assemblies of the time and occasionally attempt to employ it for the achievement of their own goals, as for example Theodosius II in the Synod of Constantinople 449 (C449b, CHA. s.1, §569-571), Marcian in the hearing above (CHA. s.CD, §4) or the secular officials in the twelfth session of Chalcedon (CHA. s.12, §7-8).⁷⁸¹

The pursuit of the truth divides the clerics, because they conceive it differently, but at the same time their goal is common: to find this truth. And they attempt to achieve this common goal not on a philosophical, secular or any other ground, but on the Gospel-book that brings them together and around which they are gathered. The object that manifests their Lord. The object that gives them their identity. It is the clerics that bring the Gospel-book in these councils, so it is the clerics' goals that it primarily attempts to serve, that is the establishment of the truth. These all will become even more evident through the employment of the Gospel-book in the councils of the Acts of Chalcedon that will be examined in the next chapter of this thesis, so that its supremacy is established not only on a theoretical, but also on a practical, level.

⁷⁸¹ ACO 2.1.1:152; 2.1.3:53-54,100; ACCh.1:233; 2:166; 3:20.

However, aside from the Gospel-book being very closely related to the truth/word of God and the reconciliation, it is even more than that. It encompasses most, if not all, of the attributes of the other objects in the Church. It describes the life, the passion, the sacrifice, the resurrection and the message of salvation of Jesus Christ, like the Cross does. It shares the same characteristics with the icon in manifesting Jesus Christ's presence in the room, and it can also be used for teaching, another complementary aspect of the mission of the councils (i.e. the definition of the orthodox doctrine and its transmission to the body of the Church, as explained in Chapter 3). As for the attributes of the Holy Gifts, they are also shared by the Gospel-book as an object of reconciliation that offers true life through the word/Word of God. These are the elements that attest to the Gospel-book's supreme authority above that of any other religious object in the council.

These are also the reasons why the book of the Gospels containing the word of God is the most suitable object to represent Jesus Christ, the Word of God, the real president and judge in these assemblies, who teaches, guides them and sanctifies them.⁷⁸² As such, the book has the supreme authority not only above any other object, but also above everyone else in and out of these councils.

vii. The authority of the theological documents

Finally, before concluding this section, there are two more things that need to be addressed regarding the authority of the Gospel-book in comparison to the objects in these councils, and more specifically in comparison to the documents employed there.

The placement of the book in the assembly at the time of Ephesus I, aside from manifesting Christ's presence in the midst and having everyone testify before him, might have served also another secondary, yet practical necessity: the need for the participants to look up scriptural passages that they used in their doctrinal debates. With the possible scarcity of complete Gospel-book codices that each bishop could carry with them in these councils,⁷⁸³ having one complete Gospel-book codex in the room could prove to be handy for quoting and analysing passages. A similar necessity must have been satisfied by the patristic *florilegia*

⁷⁸² For the "holy" sanctifying authority, power and action of the Gospel-book: Ch.5.

⁷⁸³ This may have been even more difficult if they needed to leave another Gospel-book codex back in their episcopates for the liturgical needs of their congregation.

that were compilations of excerpts from writings of the authoritative theologians of the past serving to a particular purpose or argument.

However, the three councils of our sources in which the Gospel-book is clearly mentioned, that is the Home Synod (448), the Synod of Constantinople (449) and Chalcedon (451), share an interesting peculiarity: they do not record extensive, if any, theological discussions on interpretations of passages of the Scriptures. The whole theological controversy is conducted at the level of the acceptance or rejection of doctrinal statements produced by authoritative figures of the Church, like the Tome of Leo, the Letters of Cyril and mainly the Nicene-Constantinopolitan symbol by the Fathers.⁷⁸⁴ Nevertheless, no matter how authoritative these documents were, they cannot be considered as possessing higher authority than the Scripture itself, because they draw their authority from it and they are based on it. These documents do not develop theological positions about the faith based on any philosophical or secular sources, nor do they create teachings and doctrines of their own; they rather try to understand, formulate and profess the truth of the Scriptures, and bring forward their doctrinal position by expounding what is already written in the Gospels. As such, these documents are authoritative insofar as they can be seen as a genuine interpretation of Scripture. They have a derivative authority, and all of them together are understood as expressing a *consensus* that is professing the one and same, true faith that is based on the Scripture. Typical is the example of the fifth session of Chalcedon in which the bishops "demand that the definition be signed on the gospels" since "The Holy Spirit dictated the definition" (CHA. s.5, §12).⁷⁸⁵ Immediately after that, the bishops oppose the production of another definition and exclaim that "The definition has confirmed [Leo's] letter" and that "The definition contains everything. The definition contains the faith. Leo spoke the words of Cyril, Celestine confirmed those of Cyril, Xystus confirmed those of Cyril" (CHA. s.5, §20).⁷⁸⁶ For the bishops in Chalcedon, Cyril and the Popes are in agreement and interpret correctly each other, something that cannot be said for Cyril's opponent Nestorius, who had been condemned for this reason. So there's a dependency of interpretation which reads itself back to the Scriptures. And it is in that sense that the Scriptures are more

⁷⁸⁴ For the preference of the technical term "symbol" (σύμβολον) over the term "creed": ACCh.2:202.

⁷⁸⁵ ACO 2.1.2:124; ACCh.2:198.

⁷⁸⁶ ACO 2.1.2:124; ACCh.2:198-199.

authoritative than all these documents, because they are always seen as authoritative insofar as they interpret the Scripture correctly. They are all interlinked, as in a chain, having the Scriptures at the bottom holding everything else together.⁷⁸⁷

Aside from their theological derivative authority though, they do not possess any authority as objects *per se*. They do not physically manifest their authors, let alone God. Their authority lies in the message they contain and not in their materiality. Cyril's letters and the Tome of Leo are in the room to be read, while the Gospel-book is there to be seen. Whatever value they have is due to their content; due to the theological notions they develop and the theological truths they encompass. They do not have any value as material objects and they are not used as such. People may respect them, quote them and accept their theology, but they do not give testimonies or swear oaths on them, use them to finalise decisions, bind agreements and reconciliations, and above of all, represent Jesus Christ as the head of these assemblies.

On the contrary, the Gospel-book, as a material object, is there to manifest God and as such possesses a physical and spiritual authority that these documents lack. To put it more vividly: burn Nestorius', Cyril's or the papal documents and only their supporters will protest; abuse physically your opponents (e.g. John Chrysostom, Flavian of Constantinople and others) and the reaction (if any) will be the same; burn the Gospel-book though and you will have an upheaval from every side of the room, because your actions resemble that of the Christian persecutors.⁷⁸⁸ As a matter of fact, as the Donatist schism at the province of Africa reveals, even handing over copies of the scriptures during the Great Persecution (c.303-313) was enough to brand you as a traditor and face dishonour.⁷⁸⁹ These manifest the significance and the supreme authority of the Gospel-book in comparison to any other object in, but also out of, these councils.

⁷⁸⁷ At a secular level this resembles the authority of the Emperor, in the same way that the messengers communicating to someone the imperial orders are vested with the Emperor's authority and not their own. And this authority lies to communicating the message correctly. Failure to do so, means that they lose this authority, because this would mean that they are not communicating the imperial wishes, but their own.

⁷⁸⁸ Sarefield, 2007:159-173.

⁷⁸⁹ ACC553.1:321²³⁵.

viii. The authority of the Scriptures

What has been argued above about the authority of the Gospel-book in comparison to the authority of the theological documents can be applied to a certain extent to the authority of the Gospel-book, as an object, in comparison with the authority of its content (i.e. Scriptures), if one is to differentiate between the two. Because by the time of Chalcedon there seems to be an understanding that even though the truth lies in the Scriptures, this truth is not acknowledged by everyone and as such has to be extracted and supported further. And as the body of the Fathers increases and those who lived in the past are recognised as saints and part of the one Christian orthodox tradition, the present and future generations find themselves unwilling to go against the authority of the Father. On the contrary, they look up to them for the correct interpretation of the Scripture.

As such, the authority of the Scriptures is seen to be articulated correctly in the Nicene Creed that has the authority of interpretation of the Scriptures. So by the time of Ephesus I, we find Nestorius and Cyril quarrelling on the correct interpretation of the Creed and the Scriptures, with each side accusing the other of a lack of understanding with the emphasis gradually shifting to the Creed, as evident in Nestorius' first letter to Celestine (E431, CV §3).⁷⁹⁰ The theological disputes over matters of interpretation continued and by the time of Chalcedon, Cyril too had been elevated to the status of a Father and his writings were seen as authoritative too. Leo's Tome was also seen as having similar (although not equal) authority to the extent that he agreed with Cyril, as explained above. This is attested by the fact that Ephesus II felt confident to completely ignore the Tome and execute the whole trial having the writings of Cyril as a guide. But with the upheaval of Ephesus II, Chalcedon was necessary, in which the Tome of Leo returned. For the sake of the prevalence of the one Truth, as argued earlier, the council was ordered to give an end to this polyphony of interpretations and offer the correct interpretation of all the above by issuing the Chalcedonian Definition of Faith.

What becomes apparent in all these is an obsession with "textuality",⁷⁹¹ in the form of doctrinal statements pronounced by authoritative figures of the past to

⁷⁹⁰ ACO 1.2:12-14.

⁷⁹¹ The term "textuality" here is meant to be understood differently than its earlier usage in Ch.3.2.ii where, according to Price and Gaddis, expresses the obsession with the

which the present generations look up to find the truth and interpret the faith correctly. In the spine of all this polyphony lie the Scriptures as the only right line (canon) according to which everything should be interpreted, and as such possess higher authority than anything else. However, as I argued above, in the Home Synod (448), the Synod of Constantinople (449) and Chalcedon (451), we are at a point where the debate is based on doctrinal statements of authoritative theologians rather than on actual Scriptural passages. So in the course of the conciliar-judicial procedure, the Scriptures are not employed on the basis of their content, but as being an object manifesting God (i.e. the Gospel-book). The bishops focus more on the writings of the writers of the past and not in the content of the Scriptures. The Scriptures have now been "objectified" (in an authoritative, non-derogatory manner) to signify the presence of Christ's divinity and humanity in the room.⁷⁹² They have now become the Gospel-book, an object with its own value and authority in the setting of these councils. And as the Gospel-book is employed more in the conciliar-judicial procedure, and the references to the Scriptures decline, the book's role becomes all the more prominent and authoritative for its value as an object *per se*. An object that is enthroned as God in the midst of the assembly, gathers everyone around it, extracts the truth, judges the participants, guides its religious and secular human agents to pronounce the correct God-inspired decisions, and finally reconciles Christ's true disciples over itself and condemns Christ's enemies in this and the eternal life. In this sense, it can be argued that in the councils of the Acts of Chalcedon, it is the Gospel-book that possesses the supreme authority over any other object, possibly even over its content itself (i.e. the Scriptures).

CONCLUSION

To conclude this chapter, I think that the supreme authority of the Gospel-book has become evident both through its placement in the centre of the assembly, as well as by the fact that it cannot be replaced there by any other object, since it is the most adequate and authoritative object to establish the truth and achieve the reconciliation, elements that consisted the goals of these councils. The Gospel-book's authority is supreme and its employment in the conciliar-judicial procedure

accuracy of a text as a means of validating its authority in the secular and religious sphere (i.e. the more accurate a text is, the more authority it has). *ACCh*.1:2.

⁷⁹² Ch.4, Ch.6.

unique, as it is the only object to manifest Christ's presence and presidency in the midst (an aspect further highlighted by the book's rhetorical use), it extracts the truth of those testifying before it, it guides the participants to God-favoured judicial and administrative decisions, it reconciles and supports the true disciples of Christ, while it condemns the culprits in this life and the life after death. These aspects of the employment of the Gospel-book that attest further to its supreme authority, will be shown in the next and final chapter of this thesis.

CHAPTER 7. THE SUPREME PRACTICAL AUTHORITY OF THE GOSPEL-BOOK BASED ON ITS EMPLOYMENT IN THE ACTS OF CHALCEDON

INTRODUCTION

In the previous chapters, I argued that it was Cyril who introduced the Gospel-book in the council of Ephesus. I also demonstrated how the book was used as an object manifesting Christ's presence in the room, closely associated with the Truth and employed in the truth-extraction process. With the establishment of Ephesus and Cyril's authority in the minds of the contemporary and later generations, came the establishment of the Cyrillian view, treatment and authority of the book. The book's presence and employment in the councils also was gradually established and in the Acts of Chalcedon we find it enthroned in the centre of at least three of their most important councils. As the ways in which the book is employed increase, so is the book's practical authority that now becomes even wider. It is used as part of the narrative to lead to the desirable outcome. It continues to act as the personification of Truth and the supreme judge and Son of God of the Last judgement in the middle of the assembly awarding justice and intimidating those around him to testify truthfully for the sake of their lives and souls. Additionally, the Gospel-book is also used by the participants in the decision-making process on judicial/administrative issues and on matters of faith, the case of the latter giving a more binding and reconciliatory aspect to the Gospel-book. All these uses of the Gospel-book have already been touched on briefly in the previous chapters of my thesis and below will be presented more systematically in an attempt to reveal the Gospel-book's supreme practical authority. The same authority that was inherited to the later generations, as evident by Chalcedon's aftermath.

7.1 THE SUPREME AUTHORITY AND SIGNIFICANCE OF THE GOSPEL-BOOK AS PART OF THE NARRATIVE

In Chapter 2 we saw how Besa in *Life of Shenoute* employs the Gospel-book as part of his narrative of Ephesus I in an attempt to disgrace Nestorius and strip him from his theological authority by presenting him to mistreat the Son of God in the form of the book. Meanwhile, I also argued how Cyril enthroned the Gospel-book in the midst of the assembly, emphasised its identification as Jesus Christ, and how he and the Cyrillians attributed the conciliar decisions to the Son of God,

to give them infallible and irrevocable authority. The same elements of the Gospel-book underlie in the Acts of Chalcedon, as part of narratives aiming to a specific outcome.

i. The Editors of the Acts

With the supreme authority of the Gospel-book established in the previous years through its identification with Jesus Christ, the personification of Truth, Son of God and judge of the Second Coming enthroned in the midst of the assemblies, the Editors of the Acts of Chalcedon subtly use this authority to imply that it was Jesus Christ who presided in the councils and condemned the heretics.

This is evident by the fact that even though the Gospel-book was present in the Home Synod of 448, its enthronement and employment are only highlighted in the most important moments of the synod, that is the sixth session where the presbyters Mamas and Theophilus testify on Eutyches' heretical statements,⁷⁹³ and especially in the opening of the seventh session where Eutyches appears before the synod to be tried. Originally, the synod was meant to be just a regular meeting over trivial church issues, until Eusebius pushed the case against Eutyches. So the Home Synod acquired a judicial character on matters of doctrine. The book must have already been in the room since the first session, but its presence is emphasised in the introduction of Eutyches' trial through the words: "the holy and great synod met again, in the presence of the holy and dread gospels" (C448 s.7 as in CHA. s.1, §458, §720).⁷⁹⁴

These are the very first words of the session and their intention is to manifest Christ's presence in the room. This way the Editors of the Acts create a setting of imminent divine judgement and a contrast of quality and authority: on one side is the Son of God and personification of Truth, Jesus Christ, who will judge and condemn Eutyches; on the other, is the culprit and enemy of the truth, the heretic who dared to attack Christ and distort the true faith.⁷⁹⁵ He is subjected to the

⁷⁹³ C448 s.6, CHA. s.1, §447, ACO 2.1.1:135; ACCh.1:213.

⁷⁹⁴ CHA. s.1, §458, §720, ACO 2.1.1:137,166; ACCh.1:215,252.

⁷⁹⁵ For Eutyches' attack on Christ, see Eusebius' indictment in the first session portraying Eutyches as a mad person with "no fear of God" who "despise[s] the dread tribunal and just judgement and retribution of Christ". C448 s.1, CHA. s.1, §225. ACO 2.1.1:100; ACCh.1:169.

divine judgement and will soon be punished by being stripped of his dignity. But as he is judged by God himself, his punishment will not be only on earth, but also in the eternal life and his soul will perish forever. The narrative may not be as dramatic and exaggerated as Nestorius' condemnation in the *Life of Shenoute*, due to its different literary form, but it still radiates the same characteristics and attributes the same authority to the Gospel-book. Meanwhile, this narrative establishes the role and the authority of the Gospel-book by shaping the minds of the readers of the Acts in their contemporaries and the generations that followed. Those generations (clerics, laymen, officials and Emperors) that would later introduce the Gospel-book in the secular buildings and courts of the sixth century.⁷⁹⁶

Similar is the employment of the book by the Editors of the Acts in the council of Chalcedon. Only that in this case, the court setting had to be set up straight from the beginning, as Dioscorus' trial and Ephesus II's annulment took place in the first session. So the Acts open by informing on the attendants of the session and the exact way they were seated. This creates a more vivid and participatory feeling to the reader, as if he was also standing in the room with the bishops. Immediately after, the Editors highlight the central position of the book in the room in the following words: "in the centre was placed the most holy and immaculate gospel-book" (CHA. s.1, §4).⁷⁹⁷ The reason is the same with the synod above and aims to give infallible and supreme authority to the conciliar-judicial decisions, since it is actually Jesus Christ who will judge and sentence Dioscorus and his associates,⁷⁹⁸ and annul Ephesus II.⁷⁹⁹

But the Gospel-book is in Chalcedon not only to condemn the culprits, but also to acquit the innocent and repentant, and guide the bishops to an affirmation of the true faith. Thus, the Editors inform us in the fourth session that the bishops take "their seats in front of the rails of the most holy sanctuary, with the holy and undefiled gospel-book set in the midst" (CHA. s.4, §2).⁸⁰⁰ This is the session where the

⁷⁹⁶ For the presence of the Gospel-book in the secular sphere: Ch.1 and Thesis Conclusion.

⁷⁹⁷ CHA. s.1, §4, ACO 2.1.1:65; ACCh.1:129.

⁷⁹⁸ That is Juvenal of Jerusalem, Thalassius of Caesarea, Eusebius of Ancyra, Eustathius of Berytus, and Basil of Seleucia. CHA. s.1, §1068, ACO 2.1.1:195; ACCh.1:364.

⁷⁹⁹ Dioscorus' and the five bishops' suspension in the first session was given as an interlocutory sentence. His trial continued in the third session, while his associates were acquitted in the 4. ACCh.2:48⁵⁶, 118-119.

⁸⁰⁰ CHA. s.4, §2, ACO 2.1.2:92; ACCh.2:125.

bishops, with the Gospel-book before their eyes,⁸⁰¹ affirm the harmony between the decisions of the three preceding ecumenical councils, the creeds of Nicaea and Constantinople, the Tome of Leo and Cyril's conciliar letters. This is also the session where the five suspended bishops are now forgiven and readmitted after signing Leo's Tome.

Needless to say that to the secular mind of a modern reader the appointment of such an authority and characteristics to an object may sound absurd. It should not be forgotten though that these people lived in an era when the Gospel-book was thought by many to possess extremely powerful, and even magical, properties.⁸⁰² Therefore it is reasonable for these people to really feel like having the Son of God in their midst and the "fear of God" before their eyes.⁸⁰³

ii. The participants of the council

Aside from the employment of the Gospel-book by the editors of the Acts as part of their narrative and attempt to influence the readers against those condemned, the book is invoked also in the course of the council by its participants aiming to influence the audience towards a specific outcome: that of their acquittal and the condemnation of their opponents.

As such, in the eleventh session of Chalcedon, the deposed bishop Bassianus claims the see of Ephesus from Stephen. He was deposed forcibly from the see of Ephesus c.447 from a group of clerics under charges for misusing funds intended for the poor. Stephen was elected in his place.⁸⁰⁴ So in Chalcedon, Bassianus attempts to prove his innocence and establish his deposition as unjust by portraying himself as a person who was loved by everyone, who always helped the others, but who at the same time was envied and abused by Stephen's predecessor, Memnon. Bassianus wants to gain the favour of the judges by narrating an extra-conciliar event that happened c.430, while he was still a cleric. He presents himself as Memnon's innocent victim and tars Memnon as an abusive bishop with no respect for the Gospel-book and the altar, since he did not stop

⁸⁰¹ CHA. s.4, §8, ACO 2.1.2:93-94; ACCh.2:127.

⁸⁰² Ch.1.2.i and Ch.4.1.iii.

⁸⁰³ For the Gospel-book casting the "fear of God" to the participants of these councils: Ch.7.4.

⁸⁰⁴ ACCh.3:1-2.

beating Bassianus even when the book was covered with blood. In Bassianus' words: "from the third hour till the sixth [Memnon] belaboured me with blows at the altar, and the holy gospel-book was covered in blood and the altar itself" (CHA. s.11, §14).⁸⁰⁵ With this statement, Bassianus implies that Memnon was not only disrespectful and abusive towards a fellow bishop, but also towards Christ himself. His behaviour was unacceptable and uncanonical, especially in the light of Dioscorus' earlier deposition for his actions in Ephesus II. As such the now late Memnon and his decisions should bear no authority, and the judges in Chalcedon should give back to Bassianus what was taken from him by Stephen violently, on the basis that Bassianus was simply the innocent victim of an orchestrated attack by his opponents.

Cassianus, the presbyter accompanying Bassianus in the council, picks this narrative and constructs a similar against Stephen of Ephesus. He describes the events of Bassianus' deposition c.447 and accuses Stephen for physically abusing him and for imposing an oath on him, despite the fact that he was a cleric and had never sworn an oath. His emphasis falls twice on the "gospel-book [that] they took and gave it to [him]", as well as the effect of this action that now forced him to be "a wandering beggar in Constantinople, to avoid perjury against the name of the Son of God" (CHA. s.11 §39).⁸⁰⁶ This reveals again a construct of violent, forcible and disrespectful behaviour of the Bassianus' rivals against two innocent clerics that aims to gain the mercy of the judges and lead to a favourable decision for the deposed bishop of Ephesus. Evidently, portraying oneself as an underdog was a typical rhetorical strategy in the councils of the time, as shown by the many testimonies of bishops claiming that they were afraid of Dioscorus' and Barsaumas' threats in Ephesus II, or Eusebius' plea to Flavian for protection from Eutyches in the Home Synod of 448.⁸⁰⁷ As was the portrayal of a rival bishop as a "tyrant-bishop", a polemical construction of an episcopal figure filled with lust for wealth, power and violence. This portrayal was what were trying to achieve the accusations for financial abuse of the Church resources against Bassianus. To a

⁸⁰⁵ ACO 2.1.3:46; ACCh.3:8.

⁸⁰⁶ ACO 2.1.3:50; ACCh.3:13.

⁸⁰⁷ C448 s.7, CHA. s.1, §481; CHA. s.1, §851-855, ACO 2.1.1:140,179-180; ACCh.1:218,269-270.

similar “tyrannical” portrayal were subjected Dioscorus in Chalcedon and Ibas in the *Life of Rabbula*.⁸⁰⁸

Consequently, I hope it becomes apparent how the Editors of the Acts and the participants of the councils employed the Gospel-book as part of their narrative in an attempt to influence their readers-audience and achieve the desired outcome, which was usually the justifiable condemnation of their opponents. This particular preference for the Gospel-book in the narrative over any other potential object reveals the book’s supreme authority.

7.2 THE SUPREME PRACTICAL AUTHORITY OF THE GOSPEL-BOOK IN THE EXTRACTION OF TRUTH

In Ephesus we saw how Cyril enthroned the Gospel-book in the midst to manifest Jesus Christ, the Word of God and personification of Truth, as well as his argumentation on how it is Christ who brings the truth to light.⁸⁰⁹ Meanwhile, I argued how the purpose of these councils was the establishment of truth, and how the Gospel-book, alongside the accuracy of the minutes, were the best means to achieve this for the clerics and for the secular officials.⁸¹⁰ I also argued that it was probably Cyril in Ephesus who first attempted such an employment of the book in the conciliar-judicial process, especially taking into consideration the absence of an object with the same function in the Roman secular courts. Another aspect of my argument was that in the courts, the witnesses did not have to swear an oath before they testify prior to 334. Then Constantine’s constitution of Naissus was issued, yet again it did not specify an object on which the oaths should be sworn.⁸¹¹ I also highlighted that especially in the Church councils-courts it was not accustomed for clerics to swear an oath to extract the truth, as evident by Fidus’ *exceptional* request to impose a testimonial oath on bishops Acacius and Theodotus in the course of the procedure of Ephesus.⁸¹² In that incident I further argued that the oath had a merely supplementary function with no significant

⁸⁰⁸ On the rhetorical construction of the “tyrant-bishop”: Gaddis, 2005:251-282.

⁸⁰⁹ Ch.3.1.i and Ch.3.2.i.

⁸¹⁰ Ch.3.2.ii, Ch.6.2.iii and Ch.6.2.vi.

⁸¹¹ Ch.1.4.

⁸¹² Ch.3.2.ii.

effect on the bishops, as revealed by their statements, and that the presence of the Gospel-book and the accuracy of the minutes were sufficient guarantors to ensure the veracity of the testimonies. The reason was that the Gospel-book, as Jesus Christ, was enough to remind the witnesses that they stood before the personification of Truth (hence their affirmation that they are both "lovers of the truth"), as well as before the omniscient Son of God and his divine court and that they risked their souls if they did not reveal the truth in fullness.⁸¹³ In the Acts of Chalcedon, this function and supreme authority of the Gospel-book is picked up and further established,⁸¹⁴ this time with a further emphasis on the book's fear-instilling power over the participants of these councils.⁸¹⁵

i. The role of the Gospel-book as Jesus Christ in the extraction and affirmation of truth

As in the Cyrillian session of Ephesus, so in the councils of the Acts of Chalcedon, the extraction of truth is very closely linked to the presence of the Gospel-book as Jesus Christ in the midst of the assembly, with the occasional employment of an oath that usually retains only a supplementary value. And as I argued in Chapter 4, the fact that the participants had to make specific requests for an oath to be employed, shows that it was not part of the normal judicial-conciliar procedure that is still gradually formulated.⁸¹⁶ Still, regardless of the use of an oath or not, what becomes fairly evident is the supreme authority of the book in the extraction and affirmation of the truth in these councils, as an object that instils the "fear of God" in those before it.⁸¹⁷ What in Ephesus was "we summon and conjure them by the holy gospels here exposed and the guarantee of the minutes" (E431, s.1, §51),⁸¹⁸ now becomes "having before your eyes the fear of God, testify truthfully everything" (C448 s.6, CHA. s.1, §450).⁸¹⁹

⁸¹³ Ch.3.2.ii, Ch.5.2.ii and Ch.5.2.iii.

⁸¹⁴ Ch.4.2.ii.

⁸¹⁵ Ch.7.4.

⁸¹⁶ Ch.4.2.ii.

⁸¹⁷ For the "fear of God": Ch.7.4.

⁸¹⁸ ACO 1.1.2:37.

⁸¹⁹ ACO 2.1.1:135; ACCh.1:213.

THE HOME SYNOD OF 448

In the Home Synod of 448, we have no references to oaths during the testimonies of the witnesses that delivered the summonses to Eutyches, or even the defendants and the accusers. The presence of the Gospel-book before their eyes is enough to ensure that they will reveal the complete truth. This is particularly evident in the sixth session of the council, when the presbyters Mamas and Theophilus are summoned by Eusebius of Dorylaeum to "relate over the holy gospels what they heard" from Eutyches when they delivered him the synod's second summons, since "some [of his] remarks ... were not recorded in the text of the minutes". According to Eusebius, "if these came to light, there would be clear proof of his opinions" (C448 s.6, CHA. s.1, §447).⁸²⁰

Both presbyters are suspected for omitting things from their records. So they are asked now to reveal the whole truth that would prove Eutyches as a heretic. The presiding archbishop Flavian presses Theophilus by linking the Gospel-book to the "fear of God" and repeating Eusebius' request by stressing that "having before your [Theophilus'] eyes the fear of God, testify truthfully everything" (C448 s.6, CHA. s.1, §450).⁸²¹

After Theophilus' presentation of Eutyches' Christology, it is Mamas' turn to testify. He opens his testimony by highlighting how his profession as a cleric obliges him to speak the truth, even more when the issue at stake is a matter of faith. This is the same theme as in Chapter 3 on Ephesus, where I analysed the self-understanding of the role of the clerics and their need to prove themselves as "true disciples" of Jesus Christ in these councils by speaking the truth and protecting the orthodox faith.⁸²² In Mamas' words: "If I was being questioned about a human being, as a cleric I could not lie. When the faith is under discussion, I will neither deny nor lie – God forbid!" (C448 s.6, CHA. s.1, §456).⁸²³ His words bear a remarkable similarity to the bishops' statements (including Cyril's) in the first session of Ephesus and possibly reveal an attempt to imitate that practice.⁸²⁴ After

⁸²⁰ ACO 2.1.1:135; ACCh.1:213.

⁸²¹ ACO 2.1.1:135; ACCh.1:213.

⁸²² Ch.3.1.i and Ch.3.2.ii.

⁸²³ ACO 2.1.1:136; ACCh.1:214.

⁸²⁴ E431, s.1, §51-53, ACO 1.1.2:37-38.

the truth has been revealed before the Gospel-book and the conditions have been met, the archbishop Flavian, as president of the council, pronounces that "The testimony of both the most devout presbyters is clear. Therefore let it be included in the guarantee of the minutes." (C448 s.6, CHA. s.1, §457).⁸²⁵ This reveals not only the supreme authority of the Gospel-book in the extraction of truth, but also how the testimonies meant to be inserted in the minutes, only after specific conditions had been met, which gave a significant power to the president to manipulate (at the expense of truth occasionally)⁸²⁶ the process and the record to serve his purpose and reach the desired outcome.

THE COUNCIL OF TYRE AND BERYTUS

In the council of Tyre and Berytus in February 449, the employment of the Gospel-book to extract the truth is similar, only that in this case it is combined with an oath, possibly echoing either a slightly different practice of that bishopric or an exceptional circumstance in the course of the procedure. The evidence in the Acts of Chalcedon is obscure, given that the Acts mention Ibas "[swearing] that he had said nothing [heretical]" (CHA. s.10, §22),⁸²⁷ but do not refer to the presence of the Gospel-book. Still we know that the book was there, as the Syriac Acts of Ephesus II include a reference to testimonial oaths on the Gospel-book given by the clerics of Edessa against their bishop, Ibas.

More specifically, in Ephesus II bishops Photius and Eustathius, who presided over the examination of Ibas' case in the council of Tyre and Berytus, report that they ordered the clerics of Edessa to "affirm on Oath upon the Gospels, whatever they were cognizant of in reference to the accusation advanced against him (Ibas) touching The Faith".⁸²⁸ Here it once again becomes apparent how the Gospel-book is employed, this time jointly with an oath, to extract the complete truth on a matter of the true faith.

⁸²⁵ *ACO* 2.1.1:137; *ACCh*.1:215.

⁸²⁶ See for example Price and Gaddis' assessment of the presidents Photius and Eustathius' actions at Tyre/Berytus. *ACCh*.2:267.

⁸²⁷ *ACO* 2.1.3:18; *ACCh*.2:276.

⁸²⁸ *ACE*449:42, 439.

THE SYNOD OF CONSTANTINOPLE OF 449

In the Synod of Constantinople of 449, the employment of the Gospel-book is similar, although with a significant difference with regard to the oath. Although its second session starts as normal with the Gospel-book enthroned in the midst,⁸²⁹ the secular notary Macedonius “produce[s] the holy gospel-book” and relates Emperor Theodosius II’s order “that the most holy bishops ... declare under oath, when the minutes are read, whether the testimonies of each of the two parties are authentic”. His order is met with protests by Basil of Seleucia, since as he claims that “never till now have [they] heard of oaths being required of bishops, since [they] are commanded by Christ the Saviour ‘to not swear’” (C449b, CHA. s.1, §569-571).⁸³⁰ The incident here is quite revealing, because on one hand the supreme authority of the Gospel-book is attested by the fact that Macedonius offers the book, rather than any other religious or secular object,⁸³¹ to the bishops to swear an oath and be bound to speak truthfully. While on the other hand, it shows how the joint employment of the oath and the Gospel-book was not part of the formal conciliar-judicial procedure, as argued elsewhere,⁸³² given that the Emperor had to give a specific order for this to happen and the bishops protest against this innovation that is insulting them and the Gospel-book. For them, the book alone in their midst was sufficient to ensure that the truth would be revealed.

The sufficiency of the authority of the book’s presence and the parallel absence of a necessity for oaths during testimonies in these councils is further attested by the lack of any references to oaths being required by clerics and secular officials in this and the other synods of the Acts. The Emperor directs his request to the bishops, but leaves out the lower-ranking clerics and the monks. Price and Gaddis rightly note that the monks representing Eutyches were probably required to take an oath too,⁸³³ but this requirement was probably a side-effect of the Emperor’s request, and not an immediate result. This is evident in a later incident in this session where bishop Thalassius imposes an oath on presbyter John, who had just

⁸²⁹ On the question: Ch.4.2.ii.

⁸³⁰ ACO 2.1.1:152; ACCh.1:233.

⁸³¹ Similar was the preference of the bishops for oaths on the Gospel-book, as revealed by the imposition of an oath on the Gospel-book by bishop Thalassius to presbyter John, as shown later in this section. Further on the topic of the superiority of the Gospel-book over any other religious and secular object: Ch.6.2.

⁸³² Ch.4.2.ii.

⁸³³ ACCh.1:239²⁷⁴.

entered the room to testify, on the basis that since the higher-ranking clerics were asked to swear an oath, it would be "reasonable for" the lower-ranking to do the same, even though "the reputation of John the presbyter [is] sufficient" (C449b, CHA. s.1, §640).⁸³⁴ In other words, it seems that Thalassius is more concerned in observing the hierarchy, rather than acknowledging the necessity for an oath. For him the word of bishops is truthful and trustworthy, especially when spoken in a council and in front of the Gospel-book. If the Emperor dares to challenge the word of the bishops, then he will definitely question the word of a lower-ranking cleric, hence the exceptional request for an oath.

The oath also seems unnecessary for the secular officials that preside and testify, given that we have no references to it in any of the three councils of the Acts of Chalcedon. Especially in the Synod of Constantinople, we find the president and patrician Florentius, as well as the silentiary Magnus and the notary Macedonius testify without any indications to a request for an oath.⁸³⁵ As such it becomes understood that the supreme authority for the extraction of truth in the conciliar-judicial process lies on the Gospel-book for the clerics, regardless of Theodosius II's different opinion.

As in the Home Synod above, so in the Synod of Constantinople here, the presence of the Gospel-book in the midst of the assembly manifests the Son of God and supreme judge instilling fear in everyone in the room, who are obliged not only to speak truthfully, but also to reveal the whole truth, if they wish to save their souls. So the president and archbishop Flavian asks from his notaries "if [the minutes] are authentic, say so with meticulous accuracy and with the fear of God ... as before the judgement-seat of Christ, do not lie and do not hide the name of the forger" (C449b, CHA. s.1, §597).⁸³⁶

A few moments later, it is one of Eutyches' representatives, the deacon and monk Constantine, who standing before the Gospel-book urges those who visited Eutyches to: "testify truthfully what they heard, following their consciences as in the presence of the Lord" (C449b, CHA. s.1, §622),⁸³⁷ an incident that shows how both

⁸³⁴ ACO 2.1.1:158; ACCh.1:241.

⁸³⁵ C449b, CHA. s.1, §566-567, §772, §776, §778, §789, §811, §819, §837-839, §841-846; ACO 2.1.1:151,171-175,178-179; ACCh.1:233,258-260,263-264,268.

⁸³⁶ ACO 2.1.1:154; ACCh.1:236.

⁸³⁷ ACO 2.1.1:154; ACCh.1:238-239.

sides treated the Gospel-book as Christ and relied upon it for the extraction of the truth.

So presbyter John takes his stand in the centre and begins to testify on the veracity and accuracy of his aide-memoire on Eutyches' words during the delivery of the Home Synod's summons. Constantine disputes John's testimony, so the presiding bishop Thalassius steps in to affirm that "the reputation of John the presbyter [is] sufficient" and adds that "since the gospel-book was placed before all of us [the bishops], it is reasonable for [John] as well to guarantee what he says upon the gospel-book" (C449b, CHA. s.1, §640).⁸³⁸

John's affirmation is that the statements Constantine challenges are "entirely within the bounds of the truth" and have been "established by a still stronger bond of truth" revealing thus the authority of the Gospel-book in the affirmation of the truth on the basis that his statements were guaranteed upon it. He then requests that the reading of the minutes he kept during his visit to Eutyches is completed "so that, out of respect for the holy gospels which [his] godliness [Thalassius] has placed before [John], [he] can check every detail and adhere to the word of truth" (C449b, CHA. s.1, §641).⁸³⁹ His words show once again the respect they had for the Gospel-book, as well as how its authority was related to the extraction of the truth in its entirety.

So when the minutes he kept are read, in order to affirm further their veracity and show that this veracity cannot be questioned, John says that despite what Constantine thinks, if Eutyches was present in the synod "he, in his devoutness, would [not] in the presence of the gospels reject [John's] account of what [Eutyches] said then" (C449b, CHA. s.1, §644).⁸⁴⁰ In his statement, John draws a link between Eutyches' title, his moral quality and the presence of the Gospel-book. He implies that if Eutyches is truly devout, as his title claims, he would not dare to reject John's minutes of Eutyches' words in front of the Gospel-book. This once again shows how these people felt that they were testifying before God and that they would not dare to lie or hide anything before him.

⁸³⁸ ACO 2.1.1:158; ACCh.1:241.

⁸³⁹ ACO 2.1.1:158; ACCh.1:241.

⁸⁴⁰ ACO 2.1.1:160; ACCh.1:243.

And as presbyter John is challenged further on the veracity of his minutes by the secular president Florentius, John feels the need to invoke the presence of the Gospel-book as a means that ensures that his testimony is truthful. He even draws a subtle distinction between those who control the Gospel-book and those who testify before it, so as to show how he would never dare to lie before the book. In his words: "Your godliness [Thalassius] and your magnificence [Florentius] placed the holy scriptures before us in our humility. The content of the minutes is the same as the testimony given in the aide-memoire" (C449b, CHA. s.1, §654).⁸⁴¹

The presence of the Gospel-book in the room has the same effect on the other witness that is summoned to testify. It is deacon Andrew, who accompanied John in the delivery of the synod's summons. Straight from the beginning of his testimony he assures the bishops that "since God is seated among you and fear and trembling seize my soul, I cannot depart from the truth" (C449b, CHA. s.1, §667).⁸⁴² This incident once again shows how the clerics felt that by placing the Gospel-book among them, they were actually appointing the awe-inspiring Son of God as their president to extract the truth, judge them and condemn their souls, if they hide the truth.

THE COUNCIL OF CHALCEDON

Same as in the councils above is the understanding and treatment of the Gospel-book in the council of Chalcedon. The book is enthroned in the centre of the room,⁸⁴³ and all testimonies are given before it, most probably without the employment of an oath. It is Jesus Christ who presides over the council and judges everyone, deciding their fate in this life and the afterlife. In this way is attested the supreme authority of the Gospel-book as an object manifesting God's presence in the room that extracts the truth leading the councils to God-guided decisions.⁸⁴⁴

⁸⁴¹ ACO 2.1.1:161; ACCh.1:245.

⁸⁴² ACO 2.1.1:162; ACCh.1:246.

⁸⁴³ CHA. s.1, §4. ACO 2.1.1:65; ACCh.1:129.

⁸⁴⁴ On the topic of the conciliar-judicial decisions being attributed to Christ himself: Ch.2.5 and Ch.7.3.ii.

In the first session of the council, Dioscorus is accused for his behaviour in Ephesus II, so as he stands in the centre before the Gospel-book he exclaims: "I am compelled to speak brashly: my soul is at stake ... I shall defend myself before God both here and there [i.e. both at this council and at the Last Judgement]" (CHA. s.1, §332-334).⁸⁴⁵ This reveals how these councils were viewed as divine courts with Jesus Christ in their midst, and shows the supreme authority the Gospel-book had and the awe-inspiring setting it created not only on the lower-ranking clerics, but also on the higher-ranking ones, like the archbishop of Alexandria here, or Flavian earlier.

This is an impact created by the presence of the book itself, most probably without the need for an oath to be employed. The oath remains as a tool of merely supplementary value, since the truth-extraction is mainly performed by the book. Similarly, in Chalcedon we do not have any clear statements on the imposition of oaths as part of the formal conciliar-judicial procedure. This is evident by Basil of Seleucia's repeated requests in the first session that his fellow bishops should testify under oath that in Ephesus II Dioscorus intimidated them. In his words: "I do not need other witnesses ... I feared you, most devout Dioscorus ... you then applied great pressure on us ... Let everyone testify on oath, let the Egyptian bishop Auxonius testify on oath, let Athanasius testify on oath ... I ask your magnificence that each of the metropolitan bishops, those of Lycaonia, Phrygia, Perge and the others, come here and affirm [speak/εἰπεῖν] on the gospels ... Let the lord Eusebius [of Ancyra] testify on oath" (CHA. s.1, §851; §855).⁸⁴⁶ Basil's requests remain unfulfilled, as none of the people he calls were summoned to testify. The very fact that Basil has to make a particular request for people to testify under oath in the course of the council shows that such testimonial oaths were most probably not part of the standardised conciliar-judicial procedure.⁸⁴⁷ As argued earlier, equally exceptional and unconstitutional was Theodosius II's request to impose oaths on the bishops in the Synod of Constantinople. So what is remarkable in Chalcedon is that these new requests for oaths now come from the same person that felt offended and degraded by the Emperor's imposition of oaths on the bishops in the previous synod. This could possibly show that Basil had now come in terms with this practice, even

⁸⁴⁵ ACO 2.1.1:120; ACCh.1:194-195²¹¹.

⁸⁴⁶ ACO 2.1.1:179-180; ACCh.1:269-270.

⁸⁴⁷ Ch.3.2.ii, Ch.4.1.iv, Ch.7.2.i and Ch.7.4.ii.

though he was originally unfamiliar with it, given that his predecessor Dexianus did not attend Ephesus I where the joint employment of the oath and the Gospel-book was first attempted by Fidus of Joppa. Yet, his requests that the oaths are given "on the gospels" reveals once again the Gospel-book's role in the extraction of the truth.

Bishop Basil's appeal for the Gospel-book to be placed before his fellow bishops was probably ignored, because it was not deemed necessary by the secular presidents of Chalcedon. But this was not always the case. In the tenth session that examined the case of Ibas of Edessa, three clerics appear before the council as Ibas' accusers and request the minutes of the hearing of Berytus to be read as proof of the charges against Ibas. The council of Tyre and Berytus was chaired by Photius of Tyre and Eustathius of Berytus, who tried to conceal the whole issue, rather than bring the truth to light. So now, in Chalcedon, deacon Theophilus, one of the three clerics against Ibas, challenges bishop Photius to speak the truth about Ibas' allegedly heretical statement that "I do not envy Christ becoming God". In Theophilus' words: "Let the truth be revealed at the holy council ... Bishop Photius is here. Let the gospel-book be placed before him". This time the secular officials approve the deacon's request and summon Photius to testify. So Photius opens his testimony before the Gospel-book by asserting that "[he] shall speak the truth, for it is wrong to lie about anything, least of all about a case of such major importance and which is being examined by your authority and by the ecumenical council" (CHA. s.10, §20-22).⁸⁴⁸ This incident reveals again the close relationship between the Gospel-book and the extraction of the truth, but also how the clerics of every rank felt comfortable in employing the book's authority over their opponents to force them to testify truthfully, especially on issues of the orthodox faith.

It is under the same light that the Gospel-book is viewed by the monks who sent their petition to the Emperor, as mentioned in Chapter 6. The petition is read before the council in the session on Carosus and Dorotheus. In it the Constantinopolitan archimandrites escorted by Barsaumas and others remind Marcian of his promise "to assemble the monasteries ... and in the presence of the holy gospel-book to hear the case between both sides" (CHA. s.CD, §4),⁸⁴⁹ given

⁸⁴⁸ ACO 2.1.3:18; ACCh.2:275.

⁸⁴⁹ CHA. s.CD, §4, ACO 2.1.3:100; ACCh.2:166.

that they as monks were not allowed to attend the episcopal assembly in Chalcedon. For them too, the Gospel-book is the Son of God, who is able to hear the case between the opponents, bring the truth to light and award justice. In their request, the monks want to circumvent the council's authority by appealing to the authority of the book as being enough on its own to judge their case and act through the Emperor. But Marcian, being aware of his inadequacy to decide on cases of doctrine, rejects the monks' request and directs them to the council, as seen earlier.⁸⁵⁰ It is only the clerics, as true disciples of Christ and protectors of the orthodoxy that are able to use the Gospel-book properly to pronounce on matters of faith having the personification of the Truth in their midst.

7.3 THE SUPREME AUTHORITY OF THE GOSPEL-BOOK AS EVIDENT BY ITS EMPLOYMENT IN THE DECISION-MAKING PROCESS

In the council of Ephesus we saw how Cyril argued that it was Christ, manifested through the Gospel-book who condemned Nestorius, in an effort to give an infallible authority to the conciliar decisions on the basis that they were taken by God himself.⁸⁵¹ For the Cyrillians, it was the Gospel-book in the midst that was "shouting to the sacred ministers: 'Judge a just judgement'" (E431, CV §118.18).⁸⁵² The councils in the Acts of Chalcedon attest to a development of this foundation, always combined with the extraction-affirmation of truth that results to an even more physical employment of the book.⁸⁵³ The bishops are now pronouncing important conciliar-judicial decisions before the Gospel-book in an effort to give them supreme theological legitimacy, as if they were guided and pronounced by Christ himself.

⁸⁵⁰ Ch.6.2.ii-iii.

⁸⁵¹ Ch.2.3 and Ch.2.5.

⁸⁵² ACO 1.1.3:83.

⁸⁵³ On the gradually developing employment of the book: Ch.4.

i. Decisions with the direct employment of the Gospel-book

In the Synod of Constantinople of 449 that we examined above, we saw how Macedonius “produce[s] the holy gospel-book” and informs the bishops of Theodosius II’s request to “declare under oath (μεθ’ ὅρκου εἰπεῖν), when the minutes are read, whether the testimonies of each of the two parties are authentic” (C449b, CHA. s.1, §569-571).⁸⁵⁴ This request is an invitation to the bishops to compare the minutes read with the testimonies of the two opponents, as well as with the events as the bishops themselves remember them, and testify truthfully before the Gospel-book what they know in the same way a witness would do. At the same time though, given that the bishops in these councils were acting as judges, it is a request to judge the testimonies of the two parties and pronounce a just judgement having God in their mind. As such the reference to the Gospel-book is meant to affect them to reach to a conciliar-judicial decision that will establish the truth and protect the orthodox faith. However, given that the hearings in Constantinople remained inconclusive, we do not get the chance to see the bishops pronouncing a decision and the employment of the book in the decision-making process remains vague.

In Chalcedon, though, the evidence is clearer. In the fourth session, the faith is to be discussed. Everyone takes their seat “in front of the rails of the most holy sanctuary, with the holy and undefiled gospel-book set in the midst” (CHA. s.4, §2).⁸⁵⁵ The decisions of the first two sessions are read and the papal representatives communicate the bishops’ wishes on the faith, which are the approval of the decisions of the first three ecumenical councils and Leo’s Tome. To this the bishops respond by an exclamation of faith meant to show that they are all part of the same orthodox faith and tradition. In their words “We all believe accordingly. We were all baptized, and we all baptize, accordingly. We have believed, and we believe, accordingly” (CHA. s.4, §7).⁸⁵⁶ In this important moment of the council, the secular officials highlight the presence of the Gospel-book in the midst and ask the bishops to affirm their pronouncements individually:

⁸⁵⁴ ACO 2.1.1:152; ACCh.1:233.

⁸⁵⁵ ACO 2.1.2:92; ACCh.2:125.

⁸⁵⁶ ACO 2.1.2:93; ACCh.2:127.

"Since we see the divine gospels displayed by your devoutness, let each of the most devout bishops assembled state if the definition of the 318 fathers who met formerly at Nicaea and of the 150 who convened subsequently in the imperial city is in harmony with the letter of the most devout Archbishop Leo." (CHA. s.4, §8)⁸⁵⁷

This aims to act as a warning to the bishops that they speak before the Son of God, that they themselves brought in the council, so they are obliged to speak truthfully and bind themselves to whatever pronouncement they will make on the faith. Should they hide anything or retract in the future from what they now accept as the true faith, they will be punished by God himself and the Emperor, since to the secular eyes the Gospel-book combines the authority of both.⁸⁵⁸

The Gospel-book has the same function in the fifth session of Chalcedon, only that this time it is invoked by the bishops. It is the most important session thanks to which the council earned its status as ecumenical, since in this session the Chalcedonian Definition of Faith is approved by the bishops. The minutes, despite their omissions due to editing, offer a brief yet honest description of the events.⁸⁵⁹ A draft definition is submitted before the council by a committee of bishops set up in the second session. The Roman representatives and John of Germanicia object to it, but the majority of the assembly approved the definition. Especially the latter's objection provokes the bold reaction of the bishops who suspected him of Nestorianism, as he was an ally of Theodoret of Cyrrhus and supporter of a dyophysite Christology since the times of Cyril.⁸⁶⁰ So archbishop Anatolius asks again the council if the definition of faith satisfied everyone, to which the bishops reply with a similar pronouncement approving it. But the secular officials, seeing the objections of the papal legates, suggest further discussion on the definition. The assembly refuses and affirms a third time that the definition satisfies everyone. So when John of Germanicia attempts to object again, the bishops try to push the secular officials to conclude the discussion and enforce the bishops' decision to accept the Definition of faith. Their final exclamation is particularly

⁸⁵⁷ ACO 2.1.2:93-94; ACCh.2:127.

⁸⁵⁸ Ch.5.2.ii.

⁸⁵⁹ ACCh.2:183.

⁸⁶⁰ ACCh.2:187¹¹.

important, because it combines all these elements that I have analysed throughout this thesis, and more particularly: how God brings the truth to light through the Gospel-book, how He guides the council to the right decision, how the orthodox faith is established and protected by the bishops, and how everyone adhering to this faith and tradition is considered an orthodox, while anyone who rejects it is a heretic. The definition must be signed on the Gospel-book, as it was dictated by God himself, and so that everyone is bound by it. The role of the secular officials is to protect the faith by enforcing the decision of the bishops. In the bishops' words:

"Drive out the Nestorians. Drive out the fighters against God. Who they are has with difficulty been exposed. The world is orthodox. ... The emperor is orthodox. ... The officials are orthodox. ... We demand that the definition be signed on the gospels. It has satisfied everyone. Order the definition to be signed. Let there be no chicanery about the faith. Whoever will not sign the definition is a heretic. Holy Mary is *Theotokos*. Whoever does not hold this view is a heretic. You orthodox officials, protect the faith. ... No one disowns the definition. The Holy Spirit dictated the definition. The definition is orthodox. Let the definition be signed now. Whoever will not sign is a heretic. Drive out the heretics. ... "Mary the *Theotokos*" must be added to the definition. Drive out the Nestorians. Christ is God.'" (CHA. s.5, §12)⁸⁶¹

It is remarkable how intense the bishops are in their request for the pronouncement to be accepted and how important it is for them to have the definition be signed on the Gospel-book, so that everyone is bound by this. Christ declared himself to be God and his mother is *Theotokos*. The Holy Spirit himself dictated the definition, and anyone who disagrees with it automatically becomes a heretic and enemy of God, and should be subjected to the imperial penalties, as he will be to the punishment by God.

Once again, it becomes apparent that the council employs the same argumentation Cyril did in Ephesus I. The conciliar decision (in this case the definition) is not a human construct, but rather a divine one. Anyone who challenges it does not challenge the writings of another human, but the dictation

⁸⁶¹ ACO 2.1.2:124; ACCh.2:198.

of God himself. As such, the decisions of a human council suddenly acquire a divine dimension, since it is the Son of God through the Gospel-book who presides over the council and leads his true disciples to the revelation of the truth and the establishment of the true faith. This human product has to be signed on the Gospel-book, since it is the Gospel-book that dictated it and so that everyone seals their agreement and their reconciliation on it. The new definition becomes now part of the same theological tradition and faith that the bishops affirmed before the Gospel-book in the fourth session and bears the authority of a divinely inspired rule. It is infallible and definite and no-one is allowed to challenge it. The role of the Gospel-book as an object (and not as a content) is central to this process and theology, and its authority supreme. Even the very fact that of all the religious and secular objects at their disposal, the bishops choose to sign the Definition on the word/Word of God, shows its supreme importance to the clerics in the setting of these councils.

Nevertheless, despite the bishops' persistence, the session was not concluded at this point and the procedure went on, because the secular officials had a political agenda to serve.⁸⁶² They had to ensure that the final definition would satisfy all sides (the Roman delegacy included), so as to ensure that the cohesion of the Empire would not be at risk, neither the relationship with Rome would be breached. Still, the session concludes with the bishops signing the finalised version of the Definition, most probably on the Gospel-book.⁸⁶³

The significance and authority of the Gospel-book is attested also by another incident in the council. In the twelfth session, the book is employed by the secular officials as a means of pressure over the bishops aiming to lead the bishops to a specific outcome. It is the session of the rivals Bassianus and Stephen on the see of Ephesus, that we saw earlier. The presiding secular officials are irritated by the delay of the bishops to reach a decision and express their indignation because this procrastination drags them away from state affairs that need their urgent attention. So they say to the bishops:

"Since, although we have repeatedly spoken and asked for a sentence to be pronounced (ψῆφον ἐξενεχθῆναι) regarding the episcopate of the most holy

⁸⁶² *ACCh.* 2:183,190-191.

⁸⁶³ *CHA.* s.5, §35, *ACO* 2.1.2:130; *ACCh.* 2:205.

church at Ephesus, a final response has not been given by all, let the sacred and undefiled book of the gospels be brought to the midst ... When the holy gospel-book had been brought, the most glorious officials said: 'We address the same request to the holy council, with the venerable gospels before us, urging it neither to wrong one of these two ... but to pronounce a decision (ψηφίσασθαι) according to God and according to what is right and appropriate and beneficial for the most holy church" (CHA. s.12, §7-8)⁸⁶⁴

After this, the bishops pronounce their decision one by one. Here becomes apparent how the secular officials take advantage of the Gospel-book as a way to push the bishops to pronounce a sentence that will be God-pleasing, and as such right to both sides. It is not clear from the minutes whether the imperial presidents did this to intimidate the bishops showing them that God is standing before them and they should not delay him, or if they were genuinely wanting to help them by offering them the Gospel-book that would guide them to reach a truthful and fair decision. What is clear though is the awareness of the secular officials of the authority of the book over the clerics, as well as their special preference (alongside that of clerics) for the Gospel-book over any other object or means to enforce their will (e.g. threats for physical or legal punishments).⁸⁶⁵ Once again this shows the book's practical (and spiritual) authority in the decision-making process of the conciliar-judicial procedure.

ii. Decisions attributed to God

Aside from the evidence above where we have the direct employment of the Gospel-book in the taking of conciliar-judicial decisions, the same usage of the book is implied in more incidents in Chalcedon, usually in the conclusive statements of a session made by clerics and secular officials.

In the end of the first session, the secular officials pronounce their judgement to reinstate Flavian and Eusebius of Dorylaeum, and condemn the five leaders⁸⁶⁶ of

⁸⁶⁴ ACO 2.1.3:54; 2.3.3:63; ACCh.3:20.

⁸⁶⁵ On the Gospel-book being the best truth-extracting tool: Ch.3.2.ii.

⁸⁶⁶ Dioscorus of Alexandria, Juvenal of Jerusalem, Thalassius of Caesarea, Eusebius of Ancyra, Eustathius of Berytus and Basil of Seleucia.

Ephesus II in the words "it appears right to us according to the will of God". To this sentence the Oriental bishops exclaim "This judgement is just", possibly hinting at the Cyrillian argumentation of the Gospel-book's effect in Ephesus I,⁸⁶⁷ and add further "The impious is always routed. Christ has deposed Dioscorus. Christ has deposed the murderer. This is a just sentence. This is a just council. The senate is just. God has avenged the martyrs". So the secular officials invite each of the bishops present to "set out in writing" and "with the fear of God before his eyes"⁸⁶⁸ that the imperial decision as expressed through the council "accord[s] with" the orthodox tradition of the fathers and the ecumenical councils before them (CHA. s.1, §1068-1072).⁸⁶⁹ This request is followed by the written exclamations of each bishop that conclude the first session and affirm the reinstatement of Flavian and Eusebius, and the condemnation of the five bishops as an act of God.

Similarly, when towards the end of second session the Illyrian bishops supporting Dioscorus requested from the secular officials the restoration of Dioscorus, the clerics of Constantinople promptly intervened and emphasised that "God has deposed Dioscorus" (CHA. s.2, §40).⁸⁷⁰

In the final paragraph of the session on Carosus and Dorotheus, the council proclaims its role in "imitating the clemency of Christ the Lord" and approves the decision of the secular officials that the Constantinopolitan monks should "walk upright in the truth and submit to all the decrees of this holy council for the suppression of every heretical false doctrine" or be deposed and suffer the penalties imposed by the council and enforced by the secular authorities (CHA. s.CD, §11).⁸⁷¹

It is again in the end of the seventh session that the secular officials affirm that the decision to declare Jerusalem independent of Antioch, but restore Phoenice and Arabia to the latter as a compromise between Maximus of Antioch and Juvenal

⁸⁶⁷ Ch.2.4.

⁸⁶⁸ For the "fear of God" as a reference to the Gospel-book and its effect on the participants of the councils: Ch.7.4.

⁸⁶⁹ ACO 2.1.1:195; ACCh.1:364-365.

⁸⁷⁰ ACO 2.1.2:83; ACCh.2:28.

⁸⁷¹ ACO 2.1.3:101; ACCh.2:168.

of Jerusalem,⁸⁷² “too is the work of the holy Trinity and of the policy of our most divine and pious emperor”, so as to show how the conciliar decisions express the divine and imperial will. Immediately before this it was Amphilochius of Side who had “give[n] thanks to Christ the Saviour for this peace between [Maximus and Juvenal]” and the bishops had agreed with this statement (CHA. s.7, §15-17).⁸⁷³

Finally, at the end of the fourteenth session the secular officials pronounce their provisional sentence to retain Sabinianus as bishop of Perrhe and the former bishop Athanasius in retirement, and they invite the council to say if they “endorse this decree, or decree something else”. To this Maximus of Antioch responds that “Nothing could be more just than this”, Cyrus of Anazarbus affirms that “God has spoken through [the secular officials]” and the council pronounces its sentence in unison that this is a God-guided just judgement in the following manner: “Nothing could be more just, nothing more exact. This is a just judgement, this is a just verdict. Let this decree be put into effect. You [secular officials] judge with the help of God.” (CHA. s.14, §162-165).⁸⁷⁴

7.4 THE “FEAR OF GOD” AS AN EFFECT AND REFERENCE TO THE GOSPEL-BOOK

Earlier I argued that one of the main functions of the Gospel-book in the conciliar-judicial context of these councils is to instil the “fear of God” in the participants and force them to speak truthfully as witnesses and judges and take God-pleasing decisions. I further argued that the “fear of God” is occasionally used as another way to refer to the Gospel-book, since it is the Gospel-book that causes this fearful effect. I also argued that this expression is employed in the same way the Gospel-book is: as part of the narrative, as a means to extract

⁸⁷² *ACCh*.2:244.

⁸⁷³ *ACO* 2.1.3:6; *ACCh*.2:249.

⁸⁷⁴ *ACO* 2.1.3:82-83; *ACCh*.3:60-61.

and affirm the truth, and as an important component of the decision-making process.

Thus, it can be argued that the "fear of God" (φόβος Θεοῦ) becomes a theological concept with a single core and a double dimension. In its core lies the feeling of fear and awe of someone standing before God, who knows everything, sees everything and is ready to award justice by protecting the good and punishing the evil. In its figurative sense, it is used rhetorically to describe people who love and fear God, and always have him in their mind, and as such they are turning away from sin. The "fear of God" is invoked as a positive quality to describe the good and the faithful, and as a polemic argument against the evil that do not have this fear. While in its more physical sense, it is used to refer to the Gospel-book itself, and more specifically the fear that the book creates to those standing before it, as if they are standing before God Himself. Those who respect the Gospel-book, respect God and the truth. Those who do not revere it, are evil and enemies of Christ. As such, we find several references to the "fear of God" in the Acts of Chalcedon that are employed to show either one's relation to God or one's relation to the Gospel-book, with the meaning of both usually interrelated in many instances.

This marks a particular shift in the themes and the treatment of the book in Ephesus I, which is consistent with the gradual development of the authority of the Gospel-book, as argued elsewhere.⁸⁷⁵ Because, even though in Ephesus I the "fear of God" is an effect implied by the presence of the Gospel-book as the Son of God in the midst of the assembly, the theme is not highlighted as much. There the scarce number of bishops' comments emphasise more other topics, like the extraction of truth and the protection of the orthodox faith as results of the Gospel-book. In the councils of the Acts of Chalcedon though, the "fear of God" becomes more prominent and very often comes as an immediate effect of the placement of the Gospel-book before the clerics. Hence, we find all the more clerics indirectly acknowledging the book's authority by referring to the fear-instilling power it exercises over them.

⁸⁷⁵ Ch.4.

i. The "fear of God" as part of the narrative

As argued, the Gospel-book is employed by the participants of the councils in their narrative to achieve their goal of showing that those who revere it are lovers of God and those who disregard it His enemies. The same rhetorical techniques are employed by clerics for the effect of the book, that is the "fear of God".

Eusebius of Dorylaeum, in his indictment against Eutyches in the beginning of the Home Synod of 448, portrays the archimandrite as a madman with no respect of Christ and his judgement in an effort to establish him as an enemy of God and have him condemned for heresy. According to him, Eutyches is "so smitten by madness, aberration of thought and distraction of mind as to forget the fear of God and despise the dread tribunal and just judgement and retribution of Christ ... who will come to judge the world in justice" (C448 s.1 as in CHA. s.1, §225).⁸⁷⁶

In Ephesus II Dioscorus employs the same motif to highlight how God decrees through the councils and condemns those who have attacked him with their heresies: "I have this to add, which is fearful and awesome: "If ... a man ... sins against the Lord, who will pray for him?" (1 Sam. 2:25) If then the Holy Spirit sat together with the past councils, as indeed he did, and decreed what they decreed, whoever revises those decrees rejects the grace of the Spirit.'" (E449, CHA. s.1, §145).⁸⁷⁷

Similarly, in his petition to the emperors that was read in Chalcedon, Bassianus whom we saw earlier employing the Gospel-book in his narrative to tar his opponents as being disrespectful to it and God, uses the same approach with the "fear of God". He is so innocent and his opponents so vile that they were "despising the fear of God [possibly alluding to the Gospel-book] and the power of the undefiled mysteries, which they had received from [his] humble hands by the mercy of God, [that] after [they] had celebrated the liturgy of the undefiled mysteries, [they] dragged [him] from the holy church, subjecting [him] to blows" (CHA. s.11, §7).⁸⁷⁸

⁸⁷⁶ ACO 2.1.1:100; ACCh.1:169.

⁸⁷⁷ ACO 2.1.1:89; ACCh.1:155.

⁸⁷⁸ ACO 2.1.3:45; ACCh.3:6.

ii. The "fear of God" in the extraction of the truth

Earlier I demonstrated the employment of the Gospel-book in the extraction of truth through the fear it instils in those standing before it.⁸⁷⁹ This result is attested also by the passages of the Acts of Chalcedon that refer to the "fear of God" itself.

In the sixth session of the Home Synod of Constantinople, the presiding archbishop Flavian points to the Gospel-book in the midst of the room to remind presbyter Theophilus that he stands before the divine judgement of the Son of God and urges him "having before [his] eyes the fear of God, [to] testify truthfully everything" (C448 s.6, CHA. s.1, §450).⁸⁸⁰

Likewise, in the Synod of Constantinople Basil of Seleucia uses the "fear of God" to allude to the Gospel-book, and to also show how the physical and figurative act of having it before their eyes is the only premise leading them to always reveal the whole truth, without the need for any oaths to be imposed on them. In his words: "Never till now have we heard of oaths being required of bishops ... But each of us, standing at the altar with the fear of God before his eyes, and keeping his conscience pure for God, will be unable to omit anything that is in his memory." (C449b, CHA. s.1, §570).⁸⁸¹

Later in the same synod, Flavian orders again his notaries "if [the minutes] are authentic, [to] say so with meticulous accuracy and with the fear of God ... as before the judgement-seat of Christ, do not lie and do not hide the name of the forger" (C449b, CHA. s.1, §597).⁸⁸²

Finally, the fear-instilling power of the Gospel-book leading people to reveal the truth in its fullness is shown further in the same session when deacon Andrew admits that "since God is seated among you and fear and trembling seize my soul, I cannot depart from the truth" (C449b, CHA. s.1, §667).⁸⁸³

⁸⁷⁹ Ch.7.2.

⁸⁸⁰ ACO 2.1.1:135; ACCh.1:213.

⁸⁸¹ ACO 2.1.1:152; ACCh.1:233.

⁸⁸² ACO 2.1.1:154; ACCh.1:236.

⁸⁸³ ACO 2.1.1:162; ACCh.1:246.

iii. The “fear of God” in the decision-making process

As argued above, aside from the employment of the Gospel-book in the narrative of the participants and the extraction-affirmation of truth in the process of the councils, another clear attestation of the book’s supreme authority are the references to it in the decision-making process and especially towards the end of some sessions to add significance and divine authority to the conciliar decisions on matters of faith. The same practice is repeated with the “fear of God” in instances where the participants refer either to the Gospel-book or to its effect over the assembly.

In the concluding statement of the first session of Ephesus II, a council in which the Gospel-book was most probably employed but any references to it were artfully removed by the Greek Acts of Chalcedon,⁸⁸⁴ we find monk Barsaumas, one of the most prominent and authoritative figures of Ephesus II, passing his sentence with an indirect reference to the Gospel-book guiding the council and its effect over it. In his words: “I too, following the holy fathers who met at Nicaea and previously at Ephesus and now your holinesses, view as condemned Flavian ... and Eusebius, who have been condemned by you, since I recognize that the acts of your holinesses have been performed according to the fear of God.” (E449, CHA. s.1, §1066).⁸⁸⁵

In Tyre and Berytus, another council that employs the Gospel-book, the bishops highlight twice the importance of the “fear of God” when examining matters of faith and its actual effect on the fate of their souls forcing them to adhere to the truth: “Whenever there occurs a scrutiny relating to an article [of accusation] that imperils the soul, we think examination of the other articles to be superfluous. Therefore first select and begin with the things that are ... clearly hateful to those who fear God.” (TB449, CHA. s.10, §74).⁸⁸⁶ And also “We do not think that, while [people] have the fear of God before their eyes and the faith is at issue, {anyone} will choose to disregard his own salvation in order to win favour with men. ... we will not accept the declaration of these three witnesses you have produced, especially

⁸⁸⁴ Ch.4.1.iii.

⁸⁸⁵ ACO 2.3.1:252; ACCh.1:358.

⁸⁸⁶ ACO 2.1.3:26; ACCh.2:286.

since they are suspect to the most religious bishop, as he has testified.'" (TB449, CHA. s.10, §107).⁸⁸⁷

As Ephesus II, Chalcedon is another council that concludes some of its sessions with a particular reference to the "fear of God" and an allusion to the presence of the Gospel-book in the midst of the assembly. In the end of the first session, the secular officials request the bishops to pronounce their judgement: "Let each of the most devout bishops ... set out in writing what he believes, without any anxiety and with the fear of God before his eyes, recognizing that the beliefs of our most divine and pious master [Marcian] accord with the creed of the 318 holy fathers at Nicaea and the creed of the 150 fathers after that, with the canonical letters and expositions of the holy fathers ... and with the two canonical letters of Cyril which were approved and published at the first Council of Ephesus, and does not depart from their faith in any way." (CHA. s.1, §1072).⁸⁸⁸

In the end of the third session, when the bishops pronounce one by one their decision against Dioscorus, Theotecnus of Tyriaeum affirms that "[he] too assent[s] to everything that has been decreed by the holy fathers, in fear of God and with strict attention to the holy canons, regarding Dioscorus, formerly bishop, and deprive[s] him of all episcopal ministry.'" (CHA. s.3, §96.109).⁸⁸⁹

Finally, in the twelfth session, invites the bishops to announce their decision on the see of Ephesus "according to the devotion they have for the fear of God" (CHA. s.12, §17).⁸⁹⁰

⁸⁸⁷ ACO 2.1.3:29; ACCh.2:291.

⁸⁸⁸ ACO 2.1.1:195; ACCh.1:365.

⁸⁸⁹ ACO 2.3.2:61; ACCh.2:84.

⁸⁹⁰ ACO 2.1.3:54; ACCh.3:21.

CONCLUSION

Consequently, the above make sufficiently clear the supreme practical authority of the Gospel-book in the councils of the Acts of Chalcedon based on its employment as part of narratives seeking to achieve a specific outcome, or as part of the truth-extraction and decision-making process. In the conciliar-judicial context, one of the main functions of the Gospel-book, occasionally alluded to as “fear of God”, is to instil fear in the participants that stand before the omniscient Son of God and oblige them to adhere to the truth, so as to prove themselves His true followers and save their souls from condemnation in this life and the afterlife.

THESIS CONCLUSION – THE AFTERMATH OF CHALCEDON

Cyril and Ephesus I established the Gospel-book's identification as Jesus Christ, the Son of God and judge of the Second Coming. The book, enthroned in the midst of the Cyrillian assembly, presided over the council as an animate object, extracted the truth with its fear-instilling powers and led the participants to God-pleasing decisions that safeguarded orthodoxy and condemned the heretics.⁸⁹¹ As the council's status rose to that of an ecumenical council and Cyril's status to that of a Father, the Gospel-book's role and supreme authority was also gradually rooted throughout the Empire.⁸⁹² The councils in the Acts of Chalcedon affirmed this authority in several occasions, both through its practical employment, but also through the verbal references to the Gospel-book.⁸⁹³

In the years that followed Chalcedon, the book's role and authority would be further disseminated in the religious and secular sphere with the effective contribution of both the clerical and the secular authorities. A few years after Chalcedon (post Shenoute's death in 466), Besa's *Life of Shenoute* would highlight Nestorius' punishment by the book.⁸⁹⁴ In 469, Emperor Leo the Thracian would introduce the Gospel-book in the important government building to guide those taking decisions for the city.⁸⁹⁵ In 475-476 we find Daniel the Stylite coming down from his pillar only once in thirty-three years to ask the emperor Basiliscus to repent "before the precious Cross and the holy Gospel which he ha[d] insulted" and reconcile him with Archbishop Acacius (*Daniel the Stylite*, ch.83).⁸⁹⁶ In 530-534 we have the first references of the Gospel-book employed in the episcopal courts (*episcopalis audientia*),⁸⁹⁷ and between 530-544 Justinian introduces the book as God in the secular courtrooms with several laws and orders all parts of the trials (judges, witnesses and litigants) to swear oaths on it.⁸⁹⁸

In 547-550 we find Rome taking oaths on the Gospel-book, as for example deacons Rusticus and Sebastian, who swear loyalty to Pope "with [their] hand on

⁸⁹¹ Ch.1-3.

⁸⁹² Ch.4.

⁸⁹³ Ch.5-7.

⁸⁹⁴ Ch.2.

⁸⁹⁵ Ch.1.

⁸⁹⁶ *Three Byzantine Saints*, 1948:57-58.

⁸⁹⁷ For the scholarship on *episcopalis audientia*, see footnote on Ch.6.1 and bibliography.

⁸⁹⁸ Ch.1.

the gospels”;⁸⁹⁹ or even Pope Vigilius himself who, in a letter to the Emperor Justinian, swears “by the power of the holy curb [nails of the true cross] and by the holy four gospels” to do everything he can to secure the condemnation of the Three Chapters.⁹⁰⁰ While Vigilius’ successor, Pope Pelagius, who was suspected of having contributed to Vigilius’ demise in 555, mounted the pulpit of St Peter’s holding the Gospel-book and a cross in his hands to declare his innocence.⁹⁰¹

Meanwhile, the sixth-century councils continue to revere the supreme authority of the Gospel-book, as attested by its enthronement in their midst as Jesus Christ that guarantees the extraction of the truth fully and accurately, and guides the participants to God-pleasing decisions.

In the council of Mopsuestia in 550, the “sacred gospels [are] placed in the centre” straight from the beginning to “investigat[e] the precise truth” and “clarify and examine the points raised” (M550, C553, s.5, §92.1, 6-8, 65),⁹⁰² that is the question when Theodore was deleted from the diptychs of Mopsuestia.⁹⁰³ The council consists of all nine bishops of Cilicia Secunda, who invite as witnesses reputable clerics and laymen-notables, “place the divine and venerable gospels before them ... to clear their testimony of suspicion” and instruct them to swear an oath on the Gospel-book (M550, C553, s.5, §92.1, 15, 45, 65),⁹⁰⁴ most probably adhering to Justinian’s legislation on the practice in the secular courts. The procedure has now become more standardised, as clerics and laymen, knowing that risk their “soul’s salvation”, they “touch the holy and inviolable scriptures” and open their testimonies with “by these holy scriptures I shall tell with truth whatever I know” in slight variations (M550, C553, s.5, §92.22-63).⁹⁰⁵ As in the fifth-century councils, here the bishops again declare in the end of the synod that “the grace of the truth has been revealed and made known with the utmost clarity ... for

⁸⁹⁹ ACO 4.1:190; ACC553.2:84-85.

⁹⁰⁰ ACO 4.1:198-199; ACC553.2:96.

⁹⁰¹ *Liber Pontificalis*, 1898:155,4-11, transl. R. Davis, 2000:61; ACC553.1:55.

⁹⁰² ACO 4.1:116,119,129; ACC553.1:341,344-345,357.

⁹⁰³ ACC553.1:280.

⁹⁰⁴ ACO 4.1:116,121,125,129; ACC553.1:341,347,353,357.

⁹⁰⁵ ACO 4.1:122-128; ACC553.1:348-356.

the light of the correct and immaculate faith shines brightly and is enveloped in darkness by no cloud of heresy" (M550, C553, s.5, §92.63).⁹⁰⁶

The supreme authority of the Gospel-book is again attested by the correspondence between the Patriarch Eutychius and Pope Vigilius regarding the convocation of the fifth ecumenical council in 553. In their letters, read in the first session of Constantinople II, they agree on the need to convene a council "and in the presence of the holy gospels ... examine" the faith of the Three Chapters,⁹⁰⁷ so that they "impose ... a close that is pleasing to God and in accordance with the decrees of the holy four councils ... to increase the peace and the concord of the churches ... with all dissension removed from [their] midst" (C553, s.1, §10.3-11.3-4).⁹⁰⁸ Aside from guiding the assembly to a God-pleasing decision that will safeguard orthodoxy, peace, unity and adherence to the tradition, the reason the "the holy gospels are exposed" is the extraction of truth. (C553, s.5, §56).⁹⁰⁹ Because in the very end, heresy is still seen as "Satan's ... attack" on truth and the "the gospels", the "creed", the previous four "holy councils" and God himself, a reasoning highlighted once again through the bishops' exclamations and anathemas against Theodoret in the end of the fourth session during the pronouncement of the council's decision to condemn him (C553, s.4, §82).⁹¹⁰

Finally, centuries later, two Eastern ecumenical councils still employ the Gospel-book in the same way as the fifth-century Church councils. In the Constantinople III (680/681), clerics of all ranks occasionally swear oaths on the Gospel-book on matters of faith (C680/681, s.10, §20),⁹¹¹ while in the first session of Nicaea II (787), the emperor professes to the bishops that God assembled them from every corner of the world, so that they establish the orthodox faith while "having the

⁹⁰⁶ ACO 4.1:128; ACC553.1:200-203.

⁹⁰⁷ The Three Chapters being: a) Theodore of Mopsuestia and his writing; b) Theodoret of Cyrus' certain writings; c) Ibas of Edessa's letter to Maris.

⁹⁰⁸ ACO 4.1:16-18; ACC553.1:356.

⁹⁰⁹ ACO 4.1:102; ACC553.1:321.

⁹¹⁰ ACO 4.1:72; ACC553.1:270.

⁹¹¹ ACO II 2.1:390.

holy Gospels before them shouting to them to ‘judge a just judgement’” (N787, s.1).⁹¹²

Consequently, it becomes evident that what was attempted by Cyril in Ephesus I to justify Nestorius’ condemnation as an act of God by enthroning the Gospel-book in the midst of the council as a way to manifest Christ’s presence and presidency, was later picked up, developed and further established by the councils that followed, as an object of supreme authority that would represent God, extract the truth, protect the faith, condemn the heretics and lead the councils to God-pleasing decisions that would ensure the peace of the Churches and the unity of the Empire. The Gospel-book became an intrinsic part of the conciliar procedure, and as the status and legacy of these councils increased even further, the Gospel-book’s supreme authority would gradually spread its roots in the secular sphere through the support of the imperial legislation.

⁹¹² *ACO II* 3.1:46-48; Mansi, 12:1006.

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* In parenthesis (where applicable) are the abbreviated forms of each work as found in the footnotes of this thesis.

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